

11/16/86 119
Minutes of a Regular Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, Riverhead, New York, on Tuesday, December 16, 1986 at 7:30 p.m.

Present: Joseph F. Janoski, Supervisor
John Lombardi, Councilman
Victor Prusinowski, Councilman
Louis Boschetti, Councilman
Robert Pike, Councilman

Also Present: Richard Ehlers, Town Attorney

Supervisor Janoski called the meeting to order at 7:30 p.m. and the Pledge of Allegiance was recited.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that the Minutes of Regular Board Meeting held on November 18, 1986 be corrected on Page 1110 to quote Councilman Pike instead of Councilman Boschetti.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that the Minutes of Regular Board Meeting held on November 18, 1986 are dispensed without objection and be approved.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

BILLS

Bills submitted on abstract dated December 16, 1986 as follows:

Councilman Prusinowski offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that subject to complete audit, the following bills be approved for payment.

11/18/86

BILLS

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "The department heads of town government are here as they usually are in the back of the room and would be available to anyone who might have a question of them. Applications."

APPLICATIONS

Site Plan-Stephen & John Abbott, John Kosinski, alteration from residential to office, 322 Roanoke Avenue, Riverhead. File

Site Plan-Victor Pafundi, retail office, Main Road and Tut-hills Lane. File

Special Permit-Suffolk Cement Precast, west of Twomey Avenue south of Manor Road and north of service road, construct an industrial building to manufacture precast concrete pipe. File

Supervisor Janoski, "Thank you. Correspondence."

CORRESPONDENCE

Riverhead Conservation Advisory Council, 11/24/86 Re: Special Permit application of Charles Hydel recommending approval with conditions. File

Anton Diebold, 12/2/86-Opposing Special Permit of Sullivan Mobile Home Park. File

Suffolk County Dept. of Planning, 12/4/86- Re: Special Permit of Robert Entenmann, farmland parcels can be developed for TDR purposes. File

Town Planning Board, 12/8/86-Recommend approval, special permit Peconic Ambulance & SEQRA determination and resolution re: Baywood of Baiting Hollow. File

Maryann Whidden, Letter of resignation as Meals on Wheels Driver. File

11/23/86
CORRESPONDENCE Continued

Riverhead Conservation Advisory Council, 11/23/86-Recommending change of zone application of Van de Wattering be approved and special permit, George Chekijian be approved with conditions.

Fil

T.C. Hoffman, Regional Traffic Engineer, 12/10/86, Re: Millbrook Office Campus Traffic Study.

Fil

Town of Southampton, RE: Adoption of Local Law #2, corner lots and rear yards.

Fil

Zoning Board, Re: Baiting Hollow Development Corp.

Fil

Supervisor Janoski, "Thank you. The time for the first scheduled public hearing has not yet arrived. We have a very lengthy list of Unfinished Business and I would forego the reading of that Unfinished Business except to point out that the application of Robert Entenmann for a special permit for a change of zone for 222 units on Sound Avenue will be taken up this evening. And the application for special permit and site plan application of Dierdre Fedun for a professional office on Route 25 in Aquebogue will also be taken up this evening. I would recognize anyone wishing to be heard at this time. Steve."

See Agenda for Unfinished Business

Steve Haizlip, Calverton, "About four weeks ago, there was a big tadoo with an attorney and the Mafia on the street. These people went to jail for swindling, extortion, embezzling or any words you want to use. Well right now this can apply to our governor and assemblymen and the senators. They are wanting to steal or embezzle or swindle money to keep this MTA going. Now, this is plain what it is. Now Mayor Koch and those city guys are not going to jump in there, jump out here to help subsidize us at all. So since this is and he's also jumped on the airplane this afternoon and ran up there and he's going to try to persuade Governor Cuomo and the ones upstate to bail him out with 10¢ gasoline tax or 5¢ gasoline tax. Now, I'm definitely opposed to this because we are not an MTA and they have classified us as an MTR. So they had to use the word region to get us in. That's an MTA fare in there. Now, about two weeks ago, the wife and some other people and an employee of the town used Long Island Railroad to go into the city. And when they went in there and came back, they were charged two and a half dollars extra for going at rush hour. Now I can't see where people can be penalized for travelling at rush hour. It's a free country. You go and come when you want to and if you have to stand, you stand. Whatever the circumstances are. So the point is being made. This is another way of ripping off people for the MTA in there. So in the view that I've expressed myself the way I feel about it and any reporters want to pick it up. Thank you very much."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "Thank you Steve. Is there anyone else? Mr. Benedict."

Dick Benedict, Fanning Blvd., "I read in the weekly paper where there's some people that want to renovate Town Hall for a more convenient operation. With the County taxes and the School taxes and the Riverhead Town taxes going up, I'm not sure that there's going to be too many people in favor of that especially for convenient operations. This is a very small Town Hall. And if it is true, I would hope that they go out and get firm estimates, put them before the taxpayers before they make any piecemeal changes. Thank you."

Supervisor Janoski, "Dick exactly, I don't know who used the word convenient, probably the press. But what do you envision as what we're talking about? A hundred thousand dollar, a fifty thousand dollar project? You're concerned enough to come up to the microphone about it."

Dick Benedict, "Well the building I operate in has three floors in it and there's an awful lot of disciplines there and we work together every day but it may not be the most convenient operation or maybe even the most efficient but the way the taxes are in the Town of Riverhead, there's a lot of other things that need changing. And I can envision you knocking down walls and renovating, putting offices alongside of each other and things like that and I just hope that if we do, that we get estimates ahead of time."

Supervisor Janoski, "Well if I told you that we have an estimate of five thousand dollars, would that seem unreasonable?"

Dick Benedict, "No."

Supervisor Janoski, "Mr. Nohejl."

Bill Nohejl, Wading River, "I must thank Charlie Bloss and his men and the Town Board for the fine job of the sump on Wading River/Manor Road. It's really a pleasure to see something done. I think for the benefit of the town. I think a guardrail would be appropriate along that fence otherwise that fence is going to get damaged. When the water comes across that road, a car could go spinning and bang up into there. Before there were posts which help to defray going into the sump. But now with this fine job done there, I'm afraid that something is going to happen there if that's not protected. There's a few other articles which I have on my mind, but I think I'll postpone it until after the first of the year. Thank you."

Supervisor Janoski, "Thank you Bill. Is there anyone else who wishes to be heard at this time? Mr. Kasperovich."

William Kasperovich, Wading River, "I suspect that the good lord didn't want me to come down because he gave me a flat tire half over."

12/10/80
PERSONAL APPEARANCES Continued

Supervisor Janoski, "The lord works in mysterious ways."

William Kasperovich, "I perservered and thank the man upstairs that I'm here. Some time past, there was comment made from the podium that if anybody wants the resolution read, they will read it or if not they will abbreviate it. Some time ago, they just, the gentleman on the podium lumped together resolutions. It seemed it was all building up to the last meeting when you didn't even abbreviate or read the resolutions. Now why this grinds me so badly is that for a decade I've been after the posting of resolutions so that we, that come here in the audience that are interested in our town governments, would know before hand, would have some amount of time to consider whether we want to research something out and speak on it. Now, you gentlemen go through all these resolutions at your work sessions. It seems you come to conclusions at your work sessions which would indicate in part that maybe in the hall that you take this audience for people that don't have all their mentalitiy. When we go into the election booth... You might pay attention Mr. Prusinowski."

Councilman Prusinowski, "Bill I always pay attention to you and you know that. Bill it's Christmas."

William Kasperovich, "Yes since you pay a lot more taxes than I do, you claim to be a better citizen than I. So I guess you pay more attention. You made a public statement and you've got to stand by it or apologize to me and the town. Now I think that if you are.... We go to the poll booths, we don't vote for a Town Board. We vote for each one of you individually. And unless we come here twice a week and sit into your work sessions, we don't know what you stand for or how strongly you stand for anything. It's a rare occasion like last time that Councilman Boschetti stood up with something that he felt was inappropriate. Most of the time we don't know where you stand individually and you certainly can't expect us to attend your work sessions and certainly you do everything (especially Mr. Janoski) to discourage people from coming to the work sessions by their conduct. And the people that come here, come here for the best interest of the town not for themselves."

Supervisor Janoski, "Bill I'm going to have to interrupt you. The time for the first scheduled public hearing has arrived. I will certainly recognize you at a later time during the course of the evening."

William Kasperovich, "Well the last time you said that, you didn't do it."

Supervisor Janoski, "I apologize Bill if for some reason..."

William Kasperovich, "You've got a lot to apologize for here at the end of the year to steamroll all of the resolutions through without any opportunity for the citizenry to speak was the last straw and I felt it necessary to come here and say this."

PERSONAL APPEARANCES Continued

Supervisor Janoski, "Fine Bill. I appreciate that. I just want..."

William Kasperovich, "So 7:45 comes and it's time for a public hearing."

Supervisor Janoski, "Yes it is and I just want to point out that this packet of resolutions which Mr. Nohejl returned to the Town Clerk has been available in the Town Clerk's office since 2:30 this afternoon for anyone who wished to look at them. Thank you Mr. Nohejl."

William Kasperovich, "In other words, you have to leave your place of employment or your daily business to come here to see it. The truth of the matter, most of these resolutions were put into type and put on paper last week."

Councilman Prusinowski, "Bill just for the sake of the audience, the press..."

William Kasperovich, "No, no. You're not the chairman here. So you've got nothing to say."

Councilman Prusinowski, "I also have a right to speak like you do and I'm telling you that for the sake of the audience here, every action that's covered in these work sessions is covered freely by the press. The resolutions are made available and anybody is invited to come to the work session as you have in the past."

William Kasperovich, "In other words, leave your job and come down to see that you guys do things right."

Councilman Prusinowski, "Stop it Bill. Bill stop it."

Supervisor Janoski, "Thank you Mr. Kasperovich."

William Kasperovich, "You can't take the credit sir, don't get off the chair."

Councilman Prusinowski, "Yes I can."

William Kasperovich, "Then what are you yakking about? I'm telling you you're dead wrong."

Supervisor Janoski, "Mr. Kasperovich will you please take your seat so that we could proceed and I will recognize you..."

William Kasperovich, "I have to otherwise you'll get some cop to throw me out."

Supervisor Janoski, "Let the record show that the hour of 7:47 has arrived. The Town Clerk will please read the notice of public hearing."

I have affidavits of publication and posting that a public hearing will be held on Tuesday, December 16, 1986 at 7:45 p.m. to hear all interested persons regarding the Application of Jack and Peter Van der Wetering for a Change of Zone from Business "A" to Agriculture "A" at Sound Avenue, Jamesport.

CORRESPONDENCE

CAC, 11/24/86

Recommends application be approved.

Supervisor Janoski, "Thank you Mrs. Pendzick. Mr. Van der Wetering you're representing yourself?"

Jack Van der Wetering, Baiting Hollow, "Yes I am."

Supervisor Janoski, "Would you please identify yourself and tell us where you live and your beard looks marvelous."

Jack Van der Wetering, "I live in Baiting Hollow with my brother Peter who lives in Wading River and we're asking to purchase a piece of property next to L.I.L.C.O. property and I'd like to see if we can have this zoned back to agriculture. It is classified now as business "A". With the greenhouses that we wanted to erect over there, there seems to be a problem in doing that and agricultural would be the right classification for that. When we did purchase it, part of it was in agriculture and part was in business "A" and we just missed it. Otherwise we maybe wouldn't even had bought that piece of property. Also, the Town Zoning Board of Appeals mentioned to us that they would recommend that we do it because otherwise if we did go through with putting up greenhouses, we would have to get a variance everytime we would have to add on to those greenhouses. But those are main two objectives."

Supervisor Janoski, "Thank you Jack. Is there anyone present who wishes to address the Board on the matter of this application for a change of zone to agriculture "A"? Steve."

Steve Haizlip, "I've know Mr. Jack Van der Wetering for a long time. He operates a good business and he stays as safe as he possible he can. Now since it's down in Jamesport, I don't want to speak up and have anybody that lives there feeling bad towards me speaking for it because maybe they've got a different idea. But my word is that anything you can do to help Mr. Van der Wetering on this operation, I'm for it because he is a good fellow."

Supervisor Janoski, "Thank you Steve. Is there anyone else present who wishes to address the Town Board on the matter of this application? Thank you Jack. That being the case and without objection, I declare the hearing closed. Mr. Kasperovich, there about 4 minutes remaining before the first public hearing. Would you like to conclude what you had on your mind?"

7:45 PUBLIC HEARING CLOSED AT 7:51

PERSONAL APPEARANCES

William Kasperovich, "May I?"

Supervisor Janoski, "You certainly may."

William Kasperovich, "I object and dislike very strongly having the Supervisor in my township, our township, the one I live in, deny my access to his office. I have asked you for an appointment to talk to you at your convenience, day or night, Saturday or Sunday. After two weeks, I inquired as to whether I had an appointment and you said I waste too much of the town's time and money and you have no time to talk to me. Well, my friend, you got no time to talk to me with all the good points that I have brought up for the good of this township. Then it is because you're playing footsies with the merchants and storekeepers on Main Street. Because when you should have been caring for things, you put on your blinkers and then you tell me that I have you in a court procedure. Well maybe I should have you before a judge for such negligence and such conduct. But I'm not made that way. I bring things to your attention that need adjustment. I don't see any movement in that direction. So all I could say is I have to keep after this until I wait for election time and I hope I have a better man to vote for. Because sure as h--- you're resting on your laurels and not looking after the people that live here."

Supervisor Janoski, "Thank you. There is a little less than a minute remaining for the next public hearing. So I think we will simply wait it out. Let the record show that the hour of 7:55 p.m. has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 7:55 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, December 16, 1986 at 7:55 p.m. to hear all interested persons regarding: The Special Permit Application of George Chekijian to operate a facility for the processing, canning, bottling and warehousing until shipment of cleaning products.

CORRESPONDENCE

CAC, 11/24/86

Recommends that application be approved.

Supervisor Janoski, "Thank you. Is there anyone representing the applicant? There isn't anybody present representing the applicant? Well you go right ahead Mr. Councilman."

Councilman Prusinowski, "Just for the record Mr. Supervisor, a few of the residents came in and spoke to several members of the Town Board. So I just want to assure them that since the applicant's attorney or somebody didn't show up tonight, that we will follow up this public hearing with further

PUBLIC HEARING Continued

Councilman Prusinowski, Continued

discussions to answer some of the concerns that people had in the neighborhood concerning some of the... I'm recognizing somebody that came in and talked to me and had about this project and we'll follow up on that."

Supervisor Janoski, "I will not close the hearing. I will simply recess it so that we can obtain some information concerning the application. Is there anyone who wishes to be recognized or to raise some questions concerning the application?"

Councilman Pike, "Why don't we have Dick describe it as best he knows it."

Supervisor Janoski, "There's an application. Go right ahead."

Richard Ehlers, "It's my understanding that this application is made by Makoorrr Products. They have a facility currently in the Pecone Building which would be west of the facility they propose now. It's proposed that that facility be moved to a new building to be constructed on Raynor Avenue. The applicant alledges that he has approval of the Sewer District for hook up. That is true. However, the approval is only for the scope of domestic sewage and does not include any other sewage than standard domestic sewage. I understand that in his presentation before the Planning, he alledged that none of the material that comes in would leave into the groundwater. It's all packaged. Basically it's my understanding that he makes soap products by packaging existing materials into smaller packages. They're put on a truck and shipped out and he claimed before the Planning Board and the Conservation Advisory Council that there would be no effluent. It was that same presentation that he made to the Sewer District Superintendent that resulted in the letter that the Sewer District would recieve only sanitary sewage."

Supervisor Janoski, "Thank you. Is there anyone present who wishes to address the Board on the matter of this application?"

Jeffrey Schmudja, Briarcliff, "I'm a property owner in the immediate vicinity. First of all, I'd ask the Board to reject this application since the applicant is not here to move it to be approved by the Board. There has been no statement supporting it. Before I give my statement, I'd ask the Board to consider to reject it out of hand."

Supervisor Janoski, "This is a public hearing Mr. Schmudja. And what you have an opportunity here to do is to tell us how you feel about the proposal. Are you an attorney?"

Jeffrey Schmudja, "Yes I am."

12/15/88
PUBLIC HEARING Continued

Supervisor Janoski, "I kind of thought so because you had a certain courtroom manner and wanted to walk around before a jury. But we are recording this, so stay close to the mike."

Jeffrey Shumejda, "I'd ask the Board to reject this particular application. As far as I can ascertain from the public record that's available to me in the Clerk's Office, it was submitted without an environmental assessment form which is required as you know. Secondly, I would ask this Board to reject this application because it's not an appropriate activity for the industrial "A". The applicant refers to certain sections of industrial "A" permitted uses which he indicates his use would be a combination of those. I would suggest to the Board that they are not appropriate and do not compare with the activity that he is suggesting for instance subdivision A-4 he refers to a bottling plant which is permitted under industrial "A". However, we have in this application a processing plant of raw materials mixing and creating household cleansers. I submit that that is not a bottling plant which I would make an analogy to bottling of water for consumption out of the district like artesian well water. Secondly, he refers to subdivision A-9 which I submit is completely irrelevant to the issue. He says the equipment used will be similiarly to that used in ice cream manufacturing. The issue here is the activity, not the type of machinery used. He refers to section A-13 as a similiar use. That section deals with office buildings. The only office building or only office will be incidental to this particular use here. Therefore, it is not an appropriate activity for industrial "A". The last item that he refers to is A-20 which is processing of vegetables and fruit. And I submit again, this is totally out of character for this particular activity. And the last one A-23; warehousing. The applicant states in his application it's only incidental to the processing of the material. Therefore, I submit that under industrial "A" as this Board apparently has the zone, it is not a proper activity. It's not a permitted use. The only conceivable possibility would be a non-nuisance industry under section B-5 of the same section. As the Board is well aware, if you were to grant a special permit under that section, the zoning ordinance requires you to keep the use in harmony with this particular chapter involved and within the spirit of the chapter. I would submit, a processing of chemicals whether it's for home or industrial cleaning purposes, is certainly not within keeping of the spirit. It's certainly not in harmony with all the other uses listed in industrial "A". If this Board does not dismiss outright or reject outright this application, I wish that the Board would condition any future presentation by the applicant that it require submission of the long form environmental impact statement. In this area we have a lot of problems with our groundwater. We have the one aqua-filter. We have to be very concerned with that. I for one, am very skeptical of the applicant's statement in the presentation to the Sewer District that he has zero discharge from the processing of these materials. He fails to state whether or not

PUBLIC HEARING

Jeffrey Shumejda, Continued

we're dealing with raw materials. Are we dealing with dry raw materials? Are we going to have a problem with dust like we do with Agway in this town? He fails to address these issues. I would submit that this Board at the minimum, require the applicant to submit to an on sight inspection of his current operation which is within the town without notice to the applicant to take samples of the products he uses, raw materials. To take samples of the rinses he uses in his process. And to also test the groundwater in the immediate vicinity of this plant. He is claiming in his application to this Board, that everything that he utilizes is non-toxic, biodegradeable clean products. As a citizen, as a taxpayer and a property owner in this town, I want to be sure of that. I don't want to take this individual's unsworn application. The information is not be provided by a professional as to these facts. Lastly, I think the Board should consider that the residents in this area are not new to a problem of this kind. I don't want to labor the point but please keep in mind that a number of years ago, Philbert Starch, within 200 feet of this proposed activity came in before the Town Board of Riverhead. They approved a starch plant using raw potatoes. That created incredible problems for the town. Backed up the Sewer District. It made the town open up the sewer lines directly into the river because it clogged the plant. Finally the State of New York had to come to the rescue and stop the activity because it was polluting our drinking water. Keep in mind Town Board please, that as far as know unless they've added additional ones, the main wells for the town are located in the vicinity of Stotsky Park. I would submit, I haven't measured it but I would submit that is certainly less than 1,000 feet from this proposed activity. I'd also ask you to keep in mind under his site plan, he has what he calls a shallow drainage area. By the plan, it's a sand area fairly large about the size of his property that he has two conduits going into it. One draining his parking area and another I'm not sure where from. That would certainly be discharged right into the ground, right into the aquifer within a 1,000 feet of our wells. And I think the town should be particularly concerned about the close proximity of this activity to our drinking water. Also, I'd ask the Board to take particular note of the fact that...."

Supervisor Janoski, "I hate to interrupt you but you get 5 minutes here. I know attorneys get paid by the word but I take it you're doing this.... By the hour. You told me by the word."

Councilman Pike, "You didn't like my rates."

Jeffrey Shumejda, "You have park land within 400 feet of this proposed project. You have baseball fields, baseball diamonds. The Fire Department practices within 400 feet of this area. I think this Board should reject this application."

12/18/86
PUBLIC HEARING Continued

Supervisor Janoski, "Thank you sir. Mr. Chekijian, I see that you've arrived. If you could just give me a moment to recognize that the hour of 8:07 has arrived. The Town Clerk will please read the notice of public hearing."

PUBLIC HEARING - 8:05 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, December 16, 1986 at 8:05 p.m. to hear all interested persons regarding: The Proposed Change of Zone along Route 25 Corridor in Jamesport from business "B", "C" and "D" to Bus. "CR".

Supervisor Janoski, "Thank you. I'm going to recess that public hearing so that I can re-open the previous public hearing and recognize Mr. Chekijian who is the applicant."

8:05 PUBLIC HEARING RECESSED AT 8:07

George Chekijian, "I brought a few samples of the things I make. I apologize for getting here a few moments late. I'm not familiar with the gentleman who..."

Supervisor Janoski, "I have a logistical problem. You can take that microphone from the stand but you've got to talk into the microphone because we record these proceedings." George for the record, if you would identify yourself and give us your address."

George Chekijian, "I am the owner of Makoor Products Manufacturing Company and I live in Riverhead on Roanoke Avenue in Rolling Woods and I've lived here since 1971 and I've had my business in the Calverton area since about 1964/'63 and I've been manufacturing on a very small scale and a very small cleaning non-nuisance industry of some very clean products. One or two of which are dishwashing compounds and the other one is hand cleaner. I came in a few moments late. I apologize for that. I'm not familiar with the gentlman who was against my small building that I'm trying to build. Do you want to give me his name?"

Supervisor Janoski, "Well, he's a resident of the town who has raised some questions concerning your application concerning the contamination of groundwater, questioning the type of chemicals that you use and the disposal of same. That's basically, the bottom line questions."

George Chekijian, "Is he a property owner in the area?"

Supervisor Janoski, "Yes. He said that he was."

George Chekijian, "And his name?"

Jeffrey Shumejda, "Shumejda, Jeffrey Shumejda."

George Chekijian, "Ok. Thank you. I only heard a few of the arguments against the question that I raised that the permitted uses in the town ordinance are very much in parallel to what we're doing. He questions the canning and processing process which I use and I'd like to show that we do can. By the way, I might add that I have a very small company. I have about three workers."

Supervisor Janoski, "George, I hate to bother you but the audience is here to observe. We're the guys that you've got to talk to."

George Chekijian, "These are the type of cans that we can. We seam these just like a food canning process. This is one of the products that we make. It's an innocuous cream which has virtually no odor and we make these by batch process. As I said, we have about two or three workers and myself. The bottling, we bottle one quart and half gallon and one gallon sizes of these. This is an innocuous dishwashing compound found in everyones house. The raw materials are not toxic persay. They are blended in a batch process in a tank of about 350 gallons. There is zero effluent. And as far as the question of the department of health services goes and their testing of our products, they have already come in unannounced. They have tested our waters and our cesspool. They know of all of our materials we have in house and what we use. And as far as the unbiased testing of our materials, I believe the Sewer District has submitted samples of our materials to a firm unknown to me which has tested and has said these products are permissible as domestic sewage. I think it's the H2M company. I'm not sure."

Supervisor Janoski, "One of the questions that have arisen here today concerning adherence to the SEQRA provisions and you have received (I think) a letter from us asking that you fill out the environmental assessment form."

George Chekijian, "Which I did."

Supervisor Janoski, "You did that?"

George Chekijian, "There is; the long form I believe."

Supervisor Janoski, "You did that. And where is it?"

George Chekijian, "It was in with the package that was given to the Town Clerk."

Supervisor Janoski, "When?"

George Chekijian, "When I originally filed with for the Town Planning Board hearing a month and a half ago. It's about a ten page form. Is that it?"

Supervisor Janoski, "Yes. The long form."

PUBLIC HEARING Continued

George Chekijian, "Yes that's it. That has been done."

Supervisor Janoski, "We're not aware of its existence. So we'll have to clear that up."

George Chekijian, "Yes. That was done and the department of health service is familiar with the operation and tests have been made on our raw materials and our finished products."

Supervisor Janoski, "George, I think what I'm going to do here is to recess this hearing because there are a number of questions that have come up concerning where that long form environmental impact statement, long form assessment form. And some questions have been raised and I think we're going to have to take the opportunity to find out what testing was done on the components or compounds used in that. So I'm going to recess the meeting until the next scheduled meeting which is January 6th. And at that time, we will accept more testimony and pose this."

Councilman Pike, "Do we have to send notices out to all these people again?"

Supervisor Janoski, "No. I think if it's been noticed and I'm sure the newspapers will do their job and accurately report that.... What's your recommendation here? I suggest that we pass a resolution tonight but we can't get it in the paper but we can get it printed next week and it will be done in time. Ok. There are questions concerning the existence of the long environmental assessment form and what the Board is going to do. Rather than recess this hearing, we are simply going to pass a resolution notices the public hearing for January the 6th (and can you give me a time?) at 7:55. So Mr. Chekijian we will have a brand new public hearing on January the 6th. And hopefully by that time if...."

George Chekijian, "Actually in the beginning I thought that it was extra, I mean unnecessary to file for a special permit. Because as I pointed out, we cross about 5 of the permitted uses. One of the permitted uses in that is car laundry, automobile washing laundry. And I would think that an automobile washing laundry would turn out a tremendous volume of effluent and I would not need a permit for that."

Supervisor Janoski, "I understand your argument Mr. Chekijian and I think for the good of everyone concerned, we better go through this process."

George Chekijian, "Ok. I just wanted to point out that it seems like we're doing double work."

Supervisor Janoski, "I understand."

George Chekijian, "Ok. Thank you."

PUBLIC HEARING Continued

Supervisor Janoski, "Ok. So that matter being settled, (what time is it?) I'm going to re-open for the purpose of recognizing Rick Hanley, the public hearing on the change of zone proposal for Jamesport. Now as you may have noticed in the notice of public hearing or on the agenda tonight, that there are exhibits "A", "B" and "C". Now, as the time comes, I will open those hearings but they will all run concurrently because comment on the proposals of the change of zone are certainly going to overlap. Mr. Hanley."

Rick Hanley, "I'm Rick Hanley. I'm the Director of Community Development. In consideration of certain zone changes along Route 25 in Jamesport, the Town Board on their motion, present a number of alternative zoning amendments for the public here this evening. The first hearing involves exhibit "A" which essentially would replace existing business "B", "C" and "D" along Route 25 in Jamesport with business "CR". Essentially business "CR" is a less intense business use than both business "B", "C" and "D". It proports to discourage strip type development on commercial use and it encourages esthetic treatments on both the layout of the buildings on the site as well as the buildings themselves. On your map that's attached to the agenda, you'll see that existing business "B" runs, it's on the western part of the project area and runs to a point approximately 1,800 feet east of Tuthill Lane. The existing business "B" runs from that boundary to an area just to the west of Circle Drive and the balance of the corridor is characterized by business "D". Should we take comments on that particular exhibit?"

Supervisor Janoski, "Well, why don't you take the 6 minutes that we have before I must open exhibit "B" and explain the other exhibits and then we'll just let them run concurrently. Because we're going to have overlapping testimony."

Rick Hanley, "Exhibit "B" essentially would do a number of the same things that exhibit "A" would do. It would in the main, name the business "B", "C" and "D" in the area and replace that with the business "CR". It would change some business "C" and ag. "A" in the center part of the corridor to business "PB". It would change from agricultural "A" and residence "C" in the eastern part of the corridor, those zoning districts to business "CR". The purpose of that is to try to expand that that business "CR" more than 500 feet north and south of Route 25. Exhibit "C" differs in that it would remove the existing business "B" on the western part of the corridor and that would consider change in that area would be to agricultural "A". It will then expand the business "CR" on the north side."

Supervisor Janoski, "Rick would you back off the mike a little bit."

PUBLIC HEARING Continued

Rick Hanley, "It would expand the business "CR" on the north side of Route 25 to a depth of approximately 1,000 feet. Thereby, providing the same amount of business zoning that would be lost on the change of the agricultural. It would also expand the depth of business "CR" on the eastern part of the corridor and would also make that change in the central part from the business "C" to business "PB". I think that essentially describes the changes that we're considering for the public hearing. Thank you."

Supervisor Janoski, "Thank you Mr. Hanley. I would recognize anyone who wishes to be heard concerning the change of zone at this particular portion concerning comments on exhibit "A". Yes sir. You have to come up here."

Gus Kostakis, "I own the property on the eastern end of the proposed, I guess all the exhibits here where the "CR" is changing."

Supervisor Janoski, "They all cover the same area."

Gus Kostakis, "I would like to (I guess) just know what the criteria for the change is in general and I would like to know if it is possible to extend that boundary to include our property. In other words, extend that border easterly another..."

Supervisor Janoski, "You're the adjacent property to the terminus of the business zone?"

Gus Kostakis, "Yes."

Supervisor Janoski, "Your zone presently?"

Gus Kostakis, "Agricultural "A"."

Supervisor Janoski, "What is the use of the property currently?"

Gus Kostakis, "Single house dwelling."

Supervisor Janoski, "Ok. So you want to request that the Board consider extension of the business zone eastward to include your property."

Gus Kostakis, "Yes."

Supervisor Janoski, "Ok. So that's noted on the record."

Gus Kostakis, "Could I submit a letter."

Supervisor Janoski, "Certainly. I wish that you would. Just give a copy to the Town Clerk. That you. Is there anyone else present who wishes to address the Town Board on the matter of the change of zone proposals, Jamesport, Exhibit "A"? Yes sir."

PUBLIC HEARING Continued

Muriel Tatom, "I am representing Mrs. Grace DeVeau who was unable to be here who is a resident of Circle Drive. Her property is on Exhibit "A". It is the third house in from Main Road on Circle Drive on the west end. Mrs. DeVeau didn't have any idea that she was zoned business. She was always told that that was a residential zone and that the neighbors next door was the end of the business zone. I would like to know from the town how come? She certainly should have been notified if there was a change of residence to business sometime in the past and we had no idea ever that she was zoned business."

Supervisor Janoski, "Well the business zoning has existed to my knowledge, since 1965, '70 and there has been no Town Board action changing the zone in the 7 years that I've been supervisor in that area. So I don't know what else I can add to that."

Muriel Tatom, "Alright, except that the property was purchased about 1961 and they have resided there since then and it was always residence "A" and they were never notified of a change of any kind."

Supervisor Janoski, "Well back in 1961, I don't think there was such a thing as residence zoning in the Town of Riverhead. It seems to me..."

Muriel Tatom, "Well there must have been if the people next door who bought the house approximately the same time said that they were business."

Supervisor Janoski, "No. In Riverhead, and Allen Smith probably knows better than I do but 1965 (Allen) was the inception of zoning in the Town of Riverhead? About that. So 1961 there was no zoning in the Town of Riverhead. It didn't exist."

Muriel Tatom, "Well all I can state is the way..."

Supervisor Janoski, "I understand what you're saying and the use of a piece of property is not an indication, necessarily of the zone. So if it's residential in use, it does not necessarily mean that the zoning in place there is residential. It is business."

Muriel Tatom, "I understand that but I was just wondering why they had never been notified that that had been zoned business."

Councilman Pike, "Could we ask it the other way and see whether she'd like to be taken out of the commercial zone?"

Muriel Tatom, "Very definitely. I believe I was to... I don't know if I should address that at this moment. The last exhibit, Exhibit "C" does change her particular lot to residence "C". Now would the Board like me to address all these exhibits at this time or you want me to reserve my other comment for the other exhibits when they go on?"

Supervisor Janoski, "The second exhibit has not yet been opened but I can do that right now and the third exhibit would be opened at 8:35. While there are three different...."

Muriel Tatom, "I could address that later if you wanted to continue with this."

Supervisor Janoski, "There are three separate exhibits. Now were you going to talk about the same parcel of property in which one of them?"

Muriel Tatom, "No. I just had some questions, we both had some questions about why there were three steps in the zoning procedure."

Supervisor Janoski, "No. There's not three steps. What it is is three separate proposals or ideas, if you will."

Muriel Tatom, "Why was there a proposal 'A'?"

Supervisor Janoski, "To the best of my memory, proposal 'A' was my proposal. Proposal 'B' was the group that works in Community Development proposal. And proposal 'C' was Robert Pike's proposal. That's why. We have different ideas."

Councilman Pike, "To explain it generally is to offer a number of alternatives so that differences between them get discussed openly to better involve the people that are out there who are going to be living with this decision with what their alternatives are and what they mean. So that they can tell us they like one of a number of alternatives better. Really it's to come up with the best creative solution. We're not saying that any one of these three are going to be adopted. But having three forces you and helps people to look at the differences and what they would mean."

Muriel Tatom, "In other words, they want you take a position on any one of these."

Supervisor Janoski, "They are somewhat similiar but there are differences and they are alternative ideas."

Muriel Tatom, "I see. I was wondering why these ideas don't come through the Planning Board rather than through different sections of your town...."

Supervisor Janoski, "That's a very good question."

Muriel Tatom, "...rather than the Planning Board."

Supervisor Janoski, "I will best answer that by saying the Planning Board is a group of 5 people who are for all intents & purposes, a volunteer group who meet twice a month and they are up to their eyeballs in subdivision applications. The Town Board does get involved in planning and making proposals. But this goes to the Planning Board for their review and consideration and recommendation before the Town Board does anything such as hold this public hearing. So they have looked

PUBLIC HEARING Continued

Supervisor Janoski, Continued

at it and they have made their recommendations."

Muriel Tatom, "And what is their recommendation?"

Councilman Pike, "They haven't seen all three."

Supervisor Janoski, "The last one is a late one. Proposal "C"."

Muriel Tatom, "Well Town Boards everywhere are volunteers mostly and up to their eyeballs."

Supervisor Janoski, "Not this Town Board."

Muriel Tatom, "It's that way everywhere in every town."

Supervisor Janoski, "We are, at the present time, discussing the creation of a planning entity (if you will) and perhaps it is time that the Town of Riverhead had such a group but that is under discussion. The procedure is a simple one. Someone on the Town Board and we are elected officials have the right to make a proposal. And that being done, we submitted to the Planning Board and that's all part of the process and it's required. And now we're simply holding a public hearing to see what the citizens have to say."

Muriel Tatom, "Well that was the question that I had that we didn't know anything about it. The exhibit "C". Mrs. DeVeau is very pleased that the fact that her parcel will be hopefully if this is the acceptable plan, that finally is accepted, that she is very pleased that she will be redesignated residence "C". The only serious question she had which I also have is the large parcel north of the corridor which imposes on agricultural land which in Exhibit "C" is intended to be changed from agricultural "A" to business "CR" and that seems like a tremendous amount. A thousand feet extension of business "CR" and it just seemed to us that that would not be quite right that that would be taken out of agricultural "A" or what. What happens is as has happened in my own village, that once you change the zoning, then that opens the way for all kinds of things and the business "CR" is restricted business. I believe. Is that not? Height of buildings 35 feet, something of that kind, landscaping, etc., etc. It seems to me for the best interest of this township, that that should remain in agricultural use..."

TAPE ENDED

Muriel Tatom, "The Exhibit "C" that I was talking about."

Supervisor Janoski, "It doesn't make any difference what exhibit because the parcel of property is the same on all of them. Is it this here parcel of property that is circled there?"

Muriel Tatom, "Yes it is."

121
Supervisor Janoski, "Ok. Thank you. I'm not doubting you. I just wanted to have on the record that that's the parcel of property. Thank you. Alright. Let the record show that the hour of 8:35 has arrived. I would ask the Town Clerk to read the notices of public hearing for both Exhibit "B" and "C"."

PUBLIC HEARING - 8:25 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, December 16, 1986 at 8:25 p.m. to hear all interested persons regarding: The Proposed Change of Zone along Route 25 Corridor in Jamesport from business "C" and agricultural "A" to business "PB", business "C" and "D" to residence "C" and business "B", "C" and "D" to business "CR".

PUBLIC HEARING - 8:35 p.m.

I have affidavits of publication and posting that a public hearing will be held on Tuesday, December 16, 1986 at 8:35 p.m. to hear all interested persons regarding: The Proposed Change of Zone in Jamesport along Route 25 Corridor from business "C" to business "PB", business "C" to residence "C", business "C" and "D" to business "CR", residence "C" south of Route 25 and agricultural "A" north of Route 25 to business "CR and business "B" and "C" to agricultural "A".

Supervisor Janoski, "Thank you Mrs. Pendzick. Now we have three scheduled public hearings (Exhibits "A", "B" and "C") running concurrently. So you can speak about any one of those things that are before the Town Board. Yes."

Elizabeth Lockberg, Jamesport, "I'm a new member of your township. I've dreamed 25 years of living on the northfork. And a year and a half ago my husband and I were lucky enough to get enough money together to buy a house."

Irene Pendzick, "Excuse me ma'am. Can I have your name and address?"

Elizabeth Lockberg, "I live in Jamesport on the corridor. I appreciate you going from business "C" to business "CR". I bought this place to open a small antique book store, part time. I don't want to see business malls out here. I don't want to see fast foods. But proposal "C" to turn into agricultural and to take away my dream, I'm afraid that one I don't appreciate very much gentlemen. We spent a lot of money and a lot of years to buy this house. Thank you."

Supervisor Janoski, "Thank you. Yes ma'am."

Anna Gergela, Main Road, "My residence has been zoned business 500 feet and the rest is agricultural and now I see that you have proposed to change it to residential. Now I have business on the east of me and I have business on the west of me already. I think you're very unfair to try to put me back into residential."

Supervisor Janoski, "I have talked to you in the corridor here. And as I told you, these are proposals and they're something for us to talk about and that's what we're doing. I appreciate you taking the time to come down here and tell us how you feel about it. Thank you. Yes sir."

Steven Shumejda, "Thank you for letting me speak, all of us. I've been a resident of Riverhead for since a little, little tiny guy. I grew up there. On the proposed change of zoning, the one or Exhibit "C" I disagree with in many ways. Let me get my thoughts in order here. Under the zoning code, it calls for a change of agricultural on this parcel and I'm most disagreeable with is the northern parcel being changed from agricultural to "CR". Alright. The purpose of 108-110 is for limited commercial activity adjacent to residential areas. There's no residential areas there. It's all agricultural. The only one is on Manor Lane. So there's a few houses on Manor Lane. The rest is all zoned commercial. So therefore, it's not going to be adjacent to residential. It's going to be an expansion. Ok. Being the distance of 1,000 feet and the great large amount of businesses that can go into there, I question the ability of access to that area; ingress and egress. We have a lot of traffic on that highway now and I think this is going to create more problems in that area. Another thing is that we just subdivided three lots on a parcel on Manor Lane which is going to be residential ourselves. I'm going to be building there myself and my brothers and partner and that's going to be adjacent to the "CR" change. I don't appreciate some of the uses that can be used in a "CR" zone change. And a few of them that I'm disagreeable with is one is a restaurant. I mean I'm going to live there, I don't want a restaurant. At two or three o'clock in the morning and it's even allowed live entertainment with a special permit. I don't appreciate professional studios, dance, music and arts next to my house. I mean I can appreciate other residential. I can appreciate real estate. I can appreciate churches and other things but I can't appreciate a lot of the things that are in the "CR" zone. I think it would be better that if any property owner wants to change the zoning, that's what we have a Zoning Board for. We did it on Manor Lane. We went to the Zoning Board for a change and they were very receptive to us. I just question that you guys are going to change the whole corridor like that and I think by changing it, you're going to end up with more problems, traffic problems and other by just keeping the corridor strictly "CR" as in Exhibit "A" or "B". That's about all I've got to say. Thank you for your time and I'd appreciate it if you would give it careful thought on the rezoning of it."

Supervisor Janoski, "We certainly will. Yes sir."

Roger Munz, Laurel, "Good evening. Concerning the change of zoning on all of the maps, first I'd like to make a general statement. I can appreciate the fact that the town wishes to limit the commercial development in a more rural area such as the strip coming into Jamesport. I can see where they would not want it to develop (say) as Route 58 has developed. However, I think that perhaps these three proposals by changing this

PUBLIC HEARING Continued

Roger Munz, Continued

to completely "CR" or primarily to "CR", you're penalizing the very people who are living and have purchased the properties along this strip over the years. The small individual person who wants to do something but it takes them a few years between the property and executing what they wish to do. And the plans that they had and the hopes that they had for the property in a small limited commercial use as it was previously zoned, are now going to be extremely difficult for them because you're changing it to "CR" with some of the requirements. And I think that as an overview it certainly is very commendable for what's trying to be done but couldn't it be worked out some way that people have an opportunity to try and implement those plans and ideas that they had to try and get done. I know I'm being vague. I'm not being too specific."

Supervisor Janoski, "You've read the "CR" zone. Pretty much?"

Roger Munz, "Some of it. I can't say I'm perfectly familiar with it."

Supervisor Janoski, "What it tries to do expecially for the individual who is a small entrepreneur it allows for a 4,000 square foot building which is a pretty good size business building. What it specifically prohibits is fast food restaurants, gas stations, garages, automobile sales showrooms, used car lots, boat sales showrooms, used boat lots if there is such a thing and I'm sure there is. Those are specifically not permitted but you can engage in just about any other retail operation. And what is limited is the size. You can not have a retail operation which is larger than 4,000 square feet. And if you are getting into that business, that size business, you're probably not a small business person."

Roger Munz, "Not necessarily. One of the particular uses that I had in mind was individuals who did want to put up something in the way of boats. Why is that being prohibited when we have one our greatest natural resources out here in boating and we have the state boat launching ramp and marina down here. We have marinas in South Jamesport. We have marinas in Aquebogue. We have the town marina in Jamesport and yet you're not allowing the individual or individuals who may wish to do something in that line to be able to do anything here. They are specifically being prohibited. I can understand a car salesroom. Cars belong up on Route 58. Boats; people want to have boats where they use them. They don't want to go to Greenport to buy a boat to use in Jamesport. That's only one example. I think that's one thing where you need a building more than 4,000 square feet to display them. I think you have to be able to display boats outside."

Supervisor Janoski, "Well of course the obvious answer to that is if you want to build a large structure to sell boats, then you should buy your property on Route 58. I mean that's the obvious answer but you own property right there."

PUBLIC HEARING Continued

Roger Munz, "I don't own any property."

Supervisor Janoski, "You don't own any property."

Roger Munz, "I'm just speaking in general. You don't have to be a specific property owner here."

Supervisor Janoski, "There is business "B" zoning in the town and that's where that kind of use would be allowed and that's what the Board is trying to do along with our staff is to plan that kind of business development in town so that what's identified as high intensity commercial use would be limited to areas such as Route 58."

Roger Munz, "I understand. But where the people want, usually a person wants to put that type of facility closer to where they... You know, you want to put a boating facility close to where the boats are. You know that's just one example. I have a question though. By reading the "CR" zoning, it indicates that there would then not be any possibility for any strip shopping centers anywhere through this whatsoever. Nobody can come in and say I want to put a Waldbaums on this 22 acre piece or something. I'm going to produce 43 jobs in the area and I'm going to do this and I'm going to do that."

Supervisor Janoski, "If they want to build a 4,000 square foot Waldbaums, they could but not very many Waldbaums are 4,000 square feet. The one up on Route 58 is 45,000 square feet."

Roger Munz, "I'm well aware of that."

Supervisor Janoski, "But you know one of the things that we recognize is that a very clever architect could probably develop a village kind of approach to a supermarket and that of course would work. Separation of buildings, landscaping, campus style of development, that's what this zoning particularly tries to do or mandate or promote, requires campus style development. And of course we, ourselves, are getting a handle on it as to how to make sure that it happens the way we'd like to see it actually take place."

Roger Munz, "Has the Board looked into the possibility that also what they are doing is one; driving up rents in the area and discouraging businesses coming in because it's going to be prohibitively expensive to put up this sort of facility and then additionally the rents will be considerably higher and therefore, the tenants will look to go elsewhere rather than around here."

Supervisor Janoski, "The point that you make, I think is recognized that that type of construction is more costly. And you know, if the people of the town want Jamesport, Aquabogue to be strip shopping centers such as Route 25A, Rocky Point, then now is the time to say that."

Roger Munz, "No, no, no. I'm just saying that perhaps I was addressing the point that you have the entire thing there. Everything that was zoned "B", "C" and "D" is now "CR"."

Councilman Prusinowski, "I'd like to address that. First of all, in most of the towns in Suffolk County, and I travel widely through all of Suffolk County, the rent question is not related. Believe it or not, they're getting in strip shopping centers up in Port Jefferson or say Rocky Point closer towards Riverhead, the rents in some cases are a lot higher and the argument that I hear is that you put a contiguous plan together, a strip shopping center, you share the utilities. The rents are out of sight because that's what the market is bearing."

Roger Munz, "It also has to do with the density of population."

Councilman Prusinowski, "Well I'm saying I'm not going... The ones closer to (let's take) Mastic Shirley, let's take Westhampton for example; the rents are a lot higher in some cases as they are in Riverhead. Yes construction costs definitely have an effect on your rent. Also the market and the type of business you are because some businesses can generate the cash flow and the volume to pay the necessary rents. As far as shopping districts in town, there's no question that the central part of Route 58 and the main downtown business area are your major shopping areas in the Town of Riverhead. And I don't personally want to see a repetition of Route 58 in the Jamesport area because I don't think the town would like to see and we're here tonight to see that. You have a major shopping area. If you go to Mineola, they have a major shopping area. You got to Patchogue, they have a major shopping area. Of course they have Sunrise Highway. Port Jefferson is the same thing. They have a major in the outer parts of Port Jefferson like in Smithtown. The same thing. So we're trying to do this thing intelligently. Is everybody going to be happy, no. The positive factor here though is that there is some land that would be open on Route 25 because we have some county farmland program property there like the vineyards. So we're trying to make it compatible with the neighborhood that it is."

Supervisor Janoski, "I hate to interrupt but..."

Roger Munz, "My last statement is simply this and that is; I think the people of Jamesport should definitely be the ones to make very strong input here as to what their wishes are along with the town. They are the property owners."

Councilman Boschetti, "They have been."

Supervisor Janoski, "We tend to sometimes go off into little discussions. This is not a time for discussions. This is a time for a public hearing to hear from you. I'm talking about me too. I mean I did most of the talking. I'm talking about me. I'm sorry."

PUBLIC HEARING Continued

Dick Cantwell, Jamesport, "I'll be brief. I live on Route 25 in Jamesport and I have a piece of business property there. I can see that I'm not the only one that didn't get enough dots. When I bought the property, it was zoned business. And to my knowledge and belief it was all business in its entirety. It isn't indicated on any of your plans as being that way. So I just wanted to make an official entry into your record."

Supervisor Janoski, "Mr. Cantwell, as I talked to you on the phone, we looked into that particular situation. What we have is a little contradiction. You are absolutely right. But measuring, it's going to be fixed. Yes sir. Remedied."

David Young, Jamesport, My name is David Young. I live on the Main Road in Jamesport."

Supervisor Janoski, "I thought you looked familiar. I haven't seen you for a while."

David Young, "Yes. How are you today?"

Supervisor Janoski, "Good."

David Young, "I bought my property with an intent of operating a marine business on it as Roger Munz. I'm sure he was referring to me. I worked for 7 years trying to get that property paid for so I can develop it into a nice looking esthetic marine business in the Town of Jamesport. I have no quams about doing anything as far as proper construction, proper esthetics and making it a nice business for the town. I've lived here all my life. My family has been here for many, many years. I'm very concerned with the welfare of Riverhead. I feel that a business in that area will help generate jobs. It will help generate the tax base and it will also be keeping with the Town of Jamesport. I've had a zoning approval for a marine business there in the past just after I had purchased the property. Now I'm getting the rug pulled out from underneath me."

Supervisor Janoski, "Mr. Young, I smile at you because I have a good memory. Thank you."

David Young, "Thank you. I just hope we do everything for the welfare of Riverhead."

Supervisor Janoski, "Why certainly you would agree to that. Is there anyone else?"

Mrs. John McKasty, Aquebogue, "My husband and I live on the Main Road in Aquebogue. I would like to say that we are not in favor of Exhibit "C" as it stands regarding our personal piece of property simply because my father-in-law, mother-in-law and my husband moved here in 1962 before zoning. They established a working farm business and also a real estate office. And when the town fathers in 1965 established zoning, they saw fit to zone that piece of property business "B" and parts of it agricultural "A". We see

PUBLIC HEARING ContinuedMrs. John McKasty, Continued

no reason for this to be changed at this time. Thank you very much."

Supervisor Janoski, "Thank you Jay. Is there anyone else present who wishes to address the Board on the matter of any of these three proposals? Yes sir."

Ted Conklin, Jamesport, "I own with my wife the property known as the Old Wick Farm on the Main Road at the end of Washington Avenue in Jamesport and I had a whole speech to read to you but I think that I would only like to mention my experience on the southfork. I'm from Sag Harbor and I wanted to make a point that my intention for the Wick Farm since I bought it a couple of years ago were to run a farm and eventually when the time is right, run a country inn, a small hotel, a little restaurant and I think that's compatible with your intentions. What I would like to point out is that the "CR" zone seems to be a fairly modest attempt to control the development of this corridor. And I would urge you to be as strong as you possibly could in restricting commercial development along that route because the intentions I would have on my piece of property would not be enhanced by continued commercial development in that area. If you went to professional, lawyer's offices and began to restore that area, I think that it would help whatever it is that I wanted to do. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to address the Board on the matter of any of these proposals? Yes sir. In the shadows I didn't recognize the old boy scout."

Carl Locker, Jamesport, "I live on the Main Road in Jamesport in the middle of the black session. I just have one question. I stopped in last week and asked to look at Exhibit "A", "B" and "C" and trying to understand what you're trying to do is one thing. On Exhibit "B" we have a piece of property that pops up not with dots on it as Dick said but it's got cross hatches on it. It ain't there on "A" and it ain't there on "C". I'd like to know what is that little strip of land doing in the middle? Joe do you see it?"

Supervisor Janoski, "Yes I do and I think I'm looking at the same thing. This is a proposal or a suggestion that came from the Planning Department if we can call it that because it doesn't exist but there are certain people here who work in planning. And what they are recommending in that cross hatched section is a change to residence "C" because I guess they identify residential parcels and felt that it should properly be zoned residential "C". Why don't we make sure we're talking about the same thing. The proposal there..."

Carl Locker, "That jumped out immediately when I looked at it."

PUBLIC HEARING Continued

Supervisor Janoski, "Ok. That is to expand the "CR" use there and that's one of the variety of proposals that we have. That particular cross hatching and I see where you're saying, that means that that particular proposal pushes the business "CR" to the south in that area to incorporate those properties."

Carl Locker, "I'll go along with that but why didn't we push it down on Exhibit "A" which is basically also...."

Supervisor Janoski, "Because Carl there are a lot of people who would agree with this but I'm a very simply man and I simply suggested to take the business zoned areas and we just change it to "CR". Then other proposals started to come up and then you see the "B" and the "C" as a proposal. "A" was a simple identification of what is presently zoned "B" and "C" on the corridor and the proposal is to simply change that entire area of business zoning to "CR". Business "B" incorporates two different zones; "CR" and professional business. That's the darker one in the center and it proposes pushing the "CR" north and south from its present boundaries and that's the darker cross hatching that you're referring to."

Carl Locker, "And nothing against Mr. Pike's proposal "C", but I really don't understand it Robert. You might be good but looking at this quick I don't understand it."

Councilman Pike, "Before we're over here, I do want an opportunity to explain it to you so we'll get there."

Supervisor Janoski, "Do I see Dottie's brother with his hand up?"

John Anderson, Jamesport, "I would just like to get my licks in. I think the people in Jamesport are a unique bunch of people. We don't ask for a lot. We don't get a lot. We've been the step children for a good many years. We did not put the town in the mess it's in now. And I'm sure that through all this zoning and everything, that you've got the right idea. I can live with the "CR". I am very much against the agricultural end of it on the "C" and it's business now. I would like to see it the same. Thank you."

Supervisor Janoski, "Very distinct and to the point. Thank you. Is there anyone else present who wishes to address the Board? Yes sir."

George Sittler S. Jamesport, "It was my intention to remain quiet and not hamper the proceedings but when my neighbor... I have property on the Main Road. When my neighbor on the Main Road, Mrs. McKasty, stepped up and spoke her peace, I still refrain from speaking. Now John Anderson, my other neighbor, steps up and repeats the argument that Mrs. McKasty has advanced. I am wholeheartedly giving my support to the arguments that were advanced by Mrs. McKasty and John Anderson. We are quite satisfied with the present zoning on Route 58 on the south side. Now I'd like to ask you a question. First of all, I realize that the function of this particular hearing is to project is what is going

PUBLIC HEARING ContinuedGeorge Sittler, Continued

to happen in the future. But how we can ascertain or see or visualize what is going to happen. I think that within the next 10 years or 20 years, you are going to be inundated with a movement of not only residential purposes and also commercial purposes out to the east end. I can not see any particular purpose in confining any area that borders on Route 25 no matter where it might be, for any other than commercial purposes, business purposes. Now the extent of that particular range of business purposes, I'm not determining it but I think that area definitely can not be reserved for residential purposes. Thank you."

Supervisor Janoski, "Thank you sir."

TAPE ENDED

Supervisor Janoski, "... you live between a rock and a hard place living between Mr. Anderson and Mrs. McKasty there. Is it time for a break? Is there anyone else who wishes to address the Board? Bill, some of the councilmen would like to have a break so we're going to recess until twenty past nine and then we will return."

TOWN BOARD MEETING RECESSED AT 9:09

TOWN BOARD MEETING RECONVENED AT 9:24

Supervisor Janoski, "I will re-open the public hearings on the Jamesport change of zone, Exhibit "A", "B" and "C" and I will recognize Bill Welch at this time."

Bill Welch, S. Jamesport, "I'd just like to bring to the Board's attention as I brought it in the past, regarding Exhibit "B" where business "CR" is extended to my property line. I'm aware of the rationale to make one zoning for lots that are currently split between separate zoning uses. However, there are other parcels in that scheme on Washington Avenue for example, that still remains split and it concerns me that this situation is taking place with regard to my property. And a quick comment in praise from what I've heard about the examination of "CR" and the refinements to it. I'd like to praise the Board for looking into it based on what experiences we've had in other areas of the town and encourage them to continue that process. Thank you very much."

Supervisor Janoski, "Thank you. Mr. Pike."

Councilman Pike, "I've had a number of requests to basically shed some lights on alternative "C". And the reason that I thought it would be appropriate to bring it up at the meeting. First of all, I do want to support what Mr. Welch just said about "CR" itself. "CR" has been a good faith attempt by the Board to do something about controlling development. One of the things that I've been concerned about though is any solution is deemed as the solution. And so that you might solve a small problem when

Councilman Pike, Continued

in fact you have a large one and I thought this particular debate here would be a good one to discuss another fundamental problem that the "CR" doesn't address. "CR" basically addresses architecture and layout on a single lot. It does not particularly deal with the inter-relationship of whole areas, the whole community of Jamesport and how they work together. And so the first intent in making alternative "C" was to discuss and cause people to think about the multi-lot area and to think about how it might develop in the future. To create an alternative that would force people basically to think. You will note that proposal "C" has basically the same amount of commercial area as both "A" and "B". The difference is not that there's commercial area in Jamesport but that it is much shorter and it's much differently configured. It's much wider. The current zone in Jamesport is, as you can see, a strip. It is 1,000 feet wide and over a mile long and there's no other way to describe that than a strip. My concern is that we might think we're solving the problem with architecture when the overall problem has to do with planning. So I wanted to say from outset that I support both "CR" and the "PB" zones as appropriate uses for the area. And the architecture that they tend to force as being good ones. But we have a problem coming into town that "CR" does not address and basically we're looking a bit down the road anticipating what will happen to traffic flows through the area and people's usage of the area as the population of both Riverhead goes to its saturation population which is at this time is three times the number of people that we currently have. And as Southold goes to its saturation population which similarly is three times what we're looking at now. My concern is this, that we really haven't learned how to solve the Route 58 problem and that this strip zone that you see there, is a mirror image of what the zone on either side of Route 58 looked like 20 years ago. The fundamental problem with that is that you create a major thoroughfare right through your village and you take all of the traffic and you put it through there. There is no way to deflect around it. You don't create any parallel road systems. And the fact that the zone is so narrow doesn't really give you space to provide for parallel roads. It doesn't provide for any traffic deflection at all. It basically forces it. I was thinking about this trying to figure out the best way to give you an example of why this becomes a further problem and I'd ask you to imagine yourself on Route 58 at the new Waldbaum shopping center and you've decided that you've got enough from Waldbaums and that you want some chinese food. How would you get from one side of the street to the other? You'd drive. You would drive across the street. And the fundamental problem with strip zoning persay is that it basically causes us to drive for internal transportation in our hamlet centers. I don't think that's what you want to see in Jamesport. And if the traffic triples in there which it will certainly do, you're going to have a very risky situation on Main Street in Jamesport. It's almost as if we've figured out the final answer to how does a chicken get across the road. He drives. What I'm trying to accomplish here is to have us look at village and hamlet planning on a multi-lot level, to look at how we can design these

PUBLIC HEARING ContinuedCouncilman Pike, Continued

hamlets around people so that they can do what they like to do which is to get out of their car and walk to any number of shops. You can demonstrate that by the enormous success of shopping malls in contemporary America. There are a lot of shops all within walking distance of each other with easy traffic access and exterminus' around parking lots. My concern is that if you don't make some sort of provision for doing that on a planned basis no matter what the architecture of Jamesport looks like, it's still going to be a village hamlet divided. So the alternative "C" is to ask people the question wouldn't it make a little bit more sense to have hamlet areas that are a little bit thicker so that you could drive off (in this case let's say) a "D" road into the top of it, not going through any residential areas but simply through the "CR" zone that we're creating here. So that one; traffic there is simply there for shopping would go to a parking space and then go into the new area, the beautifully designed "CR" hamlet area and get out of his car once and walk from store to store from "CR" development to "CR" development. We would allow for parallel roads and provide for them and require them. We would require perimeter. We could basically design it around pedestrian access to all areas of the development. The important thing is here with a zone like this, there's nobody in his right mind who is going to walk from one end of the thing to the other. I mean they're not going to even walk across it let alone down its length. If we put hamlets in a more rounder configuration (if you will) it's more likely you will cut down on internal traffic and that you will increase the safety of the people who are there and you will provide for pedestrian shopping of the sort that if you are going to assume the development is going to occur, that people would like to see. First of all, I think the process that we're all going through here tonight is a good one. I thoroughly enjoyed listening to some of the conversations outside. They haven't been taking place with this intensity and I know that to some extent, this outrageous proposal number "C" has sparked that. I'm happy for that because unexamined ideas, untested proposals are destined to mediocre. And I'm not satisfied with any of these zones. I'm certainly not satisfied with "C". But I wanted to illustrate a principle here and to have people focus on the future of the hamlet of Jamesport so that when we come with a final plan, a final zoning map that what you want to see there is safe and architectural sound and designed around people, not the corridor. That's why it's there."

Supervisor Janoski, "Is there anyone else present who wishes to address the Board on the matter of proposals "A", "B" or "C", Jamesport rezoning? Yes ma'am."

Muriel Tatom, "I would just like a point of information. Are you going to give us some sort of perimeters for written comments for any of these proposals and what are they if you are?"

Supervisor Janoski, "Certainly you can send it to the Town Clerk any written statement or observations that you'd like to make and that will be made part of the information we have as a Board concerning these proposals."

Muriel Tatom, "Is there a cut off date for that?"

Supervisor Janoski, "Well I would expect that not much is going to happen on the Town Board as the impending holiday season is upon us but come the period of time right after January, I know that we will have a special meeting but we will not be acting on this. I can guarantee that. And then we will start having discussions again in January. So I would think that if you got it to us in the next week or two, that it could be taken into consideration."

Muriel Tatom, "Ok. Thank you."

Supervisor Janoski, "One question that I had as I look at this. The property that you spoke about is the northern most parcel in the three parcels that are there. Quite frankly I'm perplexed as to why an individual would not want a business zone or one that exists already and it's really a question concerning the value of the land and I hope Mrs. Deveau appreciates that. I'm sure that she does but I just felt that I should mention that the residential zoning is as far as land value, not as high as a business zone."

Muriel Tatom, "We understand that. The reason that she and I both feel that it should stay residential is because we feel that an environment such as Jamesport has been and steadily on, should be preserved as much as possible. And one of those ways is to keep a residential zone residential. It's as simple as that."

Supervisor Janoski, "Well it is not and I just want to correct you for the record."

Muriel Tatom, "It is not residential now. It's business zoned."

Supervisor Janoski, "It is business zoned. And actually this proposal recommends the change to residence "C". So you're speaking in favor of that portion."

Muriel Tatom, "There are three lots that would be changed to residence "C"."

Supervisor Janoski, "Ok. Thank you. Yes sir."

Roger Munz, "Two quick points. The first is that in drawing the overall maps, I realize you try and conform to certain widths, certain dimensions. However, a suggestion that when you have a break, that is the northwest side along Tuthill Lane, instead of running that up to a point encroaching on other maps, (excuse me) additional properties, that you find a suitable break-line according to the tax map and try and implement the zoning map

Roger Munz, Continued

to the tax map similiar to what they've done in the Town of Islip."

Supervisor Janoski, "Actually that is our intention. What we did simply was to take what was zoned business and address that. And what I have talked to Rick Hanley about is that once we get this larger task done, that we go back and deal with some property lines there."

Roger Munz, "It works out real well."

Supervisor Janoski, "Yes it does but it would complicate this to the extent that you have no idea drawing the meets and bounds."

Roger Munz, "I understand that. The second thought was that I see what Mr. Pike was talking about in theory and certainly very thought provoking when he explained it that way. I would suggest however, because there are development rights, Suffolk County development rights not only to vineyards but it looks like part of..."

Councilman Pike, "There are five lots there that have development rights that come into this area. They would have the development rights taken off."

Roger Munz, "That would be somewhat of a problem getting that lifted."

Councilman Pike, "None of the ones that have development rights off are included in any of the rezonings except a flag access to one of them and it couldn't be developed if the development rights are off."

Roger Munz, "Ok. Well I was only referring to the map "C" up in the back."

Councilman Pike, "Right. None of that has got the county rights off of it."

Roger Munz, "Had you thought possibly of going on the south side of the Main Road and going across down by the railroad tracks coming back up instead of going north, going south west of Washington Avenue?"

Councilman Pike, "Individuals have considered it. You have a largely residential area there. There didn't seem to be a great deal of support of individuals that we had spoken to about redesignating Circle Drive. That wouldn't come to Circle Drive which is entirely residential."

PUBLIC HEARING Continued

Roger Munz, "No. I was only referring to the properties west of Washington Avenue which are pretty much open farmland."

Councilman Prusinowski, "There is a proposed subdivision if you go down about 1,000 feet south of the Route 25. That will begin from Washington Avenue and go into some farmland there. So that's on the drawing board. If that gets approved. I don't know. I think it's pending though."

Roger Munz, "Ok. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present who wishes to address the Board? That being the case and without objection, I declare.... I'm sorry. Certainly."

Rowena Janis, So. Jamesport, "For the record, I live in South Jamesport with my husband. I own a beauty parlor for 15 and a half years in Jamesport. And my husband and I recently purchased business property east of the bank in March of '86. In April the town put a moratorium in April for business. We intended to put a few stores on the property which the building inspector said we got all the rights and the zoning procedures and what to do and that's what determined us to buy the property. Now, we had no intention of the "CR" etc. So my thing is this; do I have to conform to the "CR"? Maybe I wouldn't have bought the property because it's going to cost a heck of a lot more to build and I lose a lot of the space which is a little over an acre for the things we plan to do."

Supervisor Janoski, "Rowena what did you have in mind for the property?"

Rowena Janis, "Well I was going to put my beauty parlor."

Supervisor Janoski, "Do you know what the present zoning is there?"

Rowena Janis, "It's "C". I think it's "C" or "D". So the thing is, like I said, going with "CR" with a little over an acre is going to limit me to a lot of the things that I wanted to do."

Supervisor Janoski, "I can't think of anything that you would want to do on a little over an acre that you can't do."

Rowena Janis, "Well we wanted to put a few stores."

Supervisor Janoski, "You still can."

Rowena Janis, "I know but with the parking, all the landscaping, I'm going to lose a lot of that."

Supervisor Janoski, "The parking is less than is required under business "C". So you're going to save money there. The.."

Rowena Janis, "The construction of the buildings..."

Supervisor Janoski, "Building in your case because if I recall, you would be able to put up a single structure which would be subdivided into stores if you will. I don't know. We can certainly talk about this at some time."

Rowena Janis, "I wanted to talk to you but I'm working all the time. It's hard for me to get away and I work in the evenings also. It's really rough."

Councilman Lombardi, "Rick did you speak to Rowena that time I told you to get a hold of her?"

Rick Hanley, "The building intensity that's allowed in the business "CR" is actually greater than is allowed in the existing business zone. So she may find that she could get more square footage with "CR" than she could in the existing business "C". I'll check "D" but I think it is about the same as "C"."

Supervisor Janoski, "Alright. Rowena. Basically you're concerned about the use of your property and you're concerned that "CR" will limit you. Basically from what you said, I think that we probably helped you but we can certainly check on that."

Rowena Janis, "I just want it to be on the record. You know. Thank you."

Supervisor Janoski, "Thank you Rowena. Way in the corner."

Jeff McGann, S. Aquebogue, "I operate a business on the Main Road in Aquebogue. The last time I appeared before you men was a couple of years ago and I spoke in favor of some commercial development being suggested and what I considered to be a non "CR" portion of the Main Road in Riverhead. And of course, since that time, you fellows have pressed forward with some zoning changes. I for one, would just like to say tonight that if you recall the night that abuse was being heaped upon you guys by certain residents of Aquebogue, I tried to remind everybody and I'd like to do this every year or two; how far the town has come in the last few years in terms of quality of life, esthetics and I think you guys are doing a great job. And I think that "CR" concept is very sound and I for one, think that the plan "A" is pretty good just because I try and keep things simple. But be that as it may, the people who are concerned about "CR" zoning affecting what they've got, I think that they will see in the long haul, it's going to be the best of many options and I urge you to continue the good job that you guys have been doing and move forward with "CR" in that area of the town. Just for those of you folks who may be haven't travelled lately, the value, the beauty, the absolute genius of "CR" was driven home to me just recently. I took the long way to Port Jefferson and went down 25 all the way. And I will tell you Rocky Point is a disastrous area and it looks awful and it is awful. And what this type of zoning is trying to do is prevent that and that is to all of our advantages. Thank you."

PUBLIC HEARING Continued

Supervisor Janoski, "Thank you Jeff and a Merry Christmas to you. Is there anyone else remaining who wishes to address the Board?"

Joe Anderson, Jamesport, "I like what you are trying to do here in our nice town of Jamesport. And of all of your three proposals, I disagree with "C". I can live with "A" or "B". Thank you."

Supervisor Janoski, "Thank you. Is there anyone else who wishes to address the Board concerning these proposals? That being the case and without objection, I declare these hearings closed. We will now take up with the resolutions."

8:05, 8:25 and 8:35 PUBLIC HEARINGS CLOSED AT 9:49

RESOLUTIONS

#703 APPROVES SPECIAL PERMIT APPLICATION OF PECONIC AMBULANCE SERVICE, INC.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, by application dated October 27, 1986, Peconic Ambulance Service, Inc., did apply to this Town Board for a special permit to construct a steel building to house ambulances, at premises located at Edgar Avenue, Aquebogue, New York; and

WHEREAS, this matter was referred to the Planning Board for their review and recommendation; and

WHEREAS, by letter dated December 9, 1986, the Planning Board recommended that the special permit be approved; and

WHEREAS, on the 18th day of November, 1986, this Town Board held a public hearing wherein all persons wishing to be heard were heard; and

WHEREAS, the Environmental Quality Review Board has determined that the action is a Type II action without significant impact upon the environment; and

WHEREAS, based upon the Town Board's review on the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the special permit applied for will be a Type II action without a significant impact upon the environment pursuant to the State Conservation Environmental Law.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board determines that:

a. The use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood;

b. The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town;

c. The health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the authorized use;

RESOLUTIONS Continued

d. Such use will be in harmony with and promote the general purposes and intent; and be it further

RESOLVED, that the premises covered by this special permit shall be maintained in conformity with such plan which may from time to time be approved by the Riverhead Town Board; and be it further

RESOLVED, that this approval is subject to any restrictions, requirements and/or limitations as detailed in the Code of the Town of Riverhead, Chapter 108; and be it further

RESOLVED, that the Town Clerk is authorized to forward a certified copy of this resolution to Peconic Ambulance Service, Inc., Spencer T. Fisher, Inc. and the Riverhead Building Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#704 APPROVES SITE PLAN OF PECONIC AMBULANCE SERVICE, INC.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, a site plan and elevations were submitted by Peconic Ambulance Service, Inc. for the construction of a steel building to be located at Edgar Avenue, Aquebogue, New York; and

WHEREAS, this Town Board has reviewed this site plan last dated August 11, 1986, as prepared by Young & Young, and elevations as prepared by Gordon K. Ahlers, P.E.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Peconic Ambulance Service, Inc. for the construction of a steel building to house ambulances to be located at Edgar Avenue, Aquebogue, New York, site plan last dated August 11, 1986, as prepared by Young & Young, and elevations as prepared by Gordon K. Ahlers, P.E., be and are hereby approved, subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

RESOLUTIONS Continued

4. That the applicant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

5. That receptacles of a decorative design shall be maintained at the premises;

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Peconic Ambulance Service, Inc., hereby authorizes the Town of Riverhead to enter premises at Edgar Avenue, Aquebogue New York to enforce said handicapped parking regulations;

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code with regard to type, thickness and grade;

8. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

9. Drainage and parking shall be provided pursuant to the Riverhead Town Code; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Peconic Ambulance Service, Inc., Spencer T. Fisher, Inc. and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of December, 1986, by PECONIC AMBULANCE SERVICE, INC., a domestic corporation with offices at c/o P.O. Drawer P, Jamesport, New York, 11947, Declarant.

WHEREAS, Declarant is the owner of a certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto as provided by the Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the owner and prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns, to wit:

RESOLUTIONS Continued

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

4. Trash receptacles of a decorative design shall be maintained at the premises;

5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness and grade;

7. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

8. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

Declarant has hereunto set his hand and seal the day and year above first written.

PECONIC AMBULANCE SERVICE, INC.

BY: _____

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of December, 1986, before me personally came _____, the _____ of PECONIC AMBULANCE SERVICE, INC., the owner of certain real property located at Edgar Avenue, Aquebogue, New York, the subject property of the declaration and covenant and understands the contents thereof; and that he did swear to me that he executed the same.

NOTARY PUBLIC

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#705 GRANTS CHANGE OF ZONE AND SPECIAL PERMIT PURSUANT TO
CHAPTER 108 OF THE RIVERHEAD TOWN CODE RE: ROBERT
ENTENMANN.

Councilman Prusinowski, "This is a project that you probably read about in the papers. We've had a public hearing. This project has thoroughly complied with all SEQRA procedures and environmental concerns. It has been recommended by the Planning Board. Basically it's a condominium project clustered on the north side of Sound Avenue. It's 222 units. It also involves probably our first type of transfer of development rights in the town which will preserve 111 acres of open farmland and I'll just read some of the findings which more or less capsulizing the value of the project to the town. The adverse environmental impact caused by the proposed use or mitigated or outweighed by (and this is taken from the resolution) preservation of farmland plus development, preservation of the Sound Avenue corridor, creation of new on site ponds, buffering by setbacks and plantings, extension of the water district and sewerage in compliance with Article 6 and the exact amount of the property that would either be dedicated in some manner or dedicated to the Suffolk County farmland preservation program would be 111 acres .665 and the zoning that would be put in place is called our recreational overlay zoning."

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, by an application dated February 12, 1986 Robert Entenmann did apply to this Town Board for a change of zone from Residence "A" to Residence "C" and Recreational, together with a special permit to construct and use a 222 unit residential recreational condominium on a parcel situate on the northerly side of Sound Avenue west of the intersection of Sound Avenue and Doctors Path consisting of approximately 111 acres of vacant farmland and woods, and

WHEREAS, this Board pursuant to the applicable statutes, rules and codes did declare itself "Lead Agency", did determine the proposed action to be a "Type I" action, did hold a scoping hearing, did accept draft environmental impact statement, did hold a public hearing on notice of the draft environmental impact statement, did accept a final environmental impact statement, did give notice of completion of the final environmental impact statement and the recommended period of having passed, and

WHEREAS, the applications were referred to the Planning Board and the Suffolk County Planning Commission, pursuant to the Special Permit provisions of Chapter 108 of the Code of the Town of Riverhead, Section 273 of the Town Law and Sections 1323 to 1332 of the Suffolk County Charter and the Planning Board did render its recommendation thereon by a resolution dated November 24, 1986 recommending that the change of zone application be approved as to the Recreational Use only and that the Special Permit application for 222 units be approved subject to dedication of 111 off site acres of farmland into the Suffolk County Farmland Program, and the Suffolk County Planning Commission did render its recommendation thereon by resolution on December 3, 1986 disapproving the change of zone to Resident C, stating that the premises can reasonably be developed for cluster/transfer

RESOLUTIONS Continued

development rights in accordance with existing zoning requirements, and

WHEREAS, on November 18, 1986 at 7:45 p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, a public hearing was held by the Town Board, wherein all persons wishing to be heard were heard, and

WHEREAS, this Town Board has considered all the testimony given at the several public hearings on these applications; has reviewed all the correspondence, briefs, and other writings submitted to it; has received and noted the recommendation of the Planning Board; has adopted and incorporates herein by reference the final environmental impact statement and has considered these applications in the context of their individual and collective knowledge of the site and surrounding properties.

NOW, THEREFORE, pursuant to the provisions of Chapter 108 of the Code of the Town of Riverhead, the Town Law, the Environmental Conservation Law and all other applicable laws and rules this Town Board does make the following findings:

FINDINGS

FIRST: The site is appropriate for the Recreational Use designation in that the site has more than 500 hundred (500) feet of frontage on Long Island Sound (S108-125(c)(1)).

SECOND: Two Hundred Twenty Two (222) are permitted at the site (S108-126(A)) subject to the further stipulations of this resolution.

THIRD: The Riverhead Water District has sufficient capacity to serve the site and adjacent properties. The extension of the water district will benefit the district and the properties included in the District Extension 36 by providing potable water to areas that have been subject to agricultural chemical contamination.

FOURTH: The site is in Hydrological Zone IV of the 208 Study. As such groundwater conditions will permit two residential units to the acre with septic systems. Pursuant to Article 6 of the Sanitary Code the proposed units can be constructed with septic systems. Such density and systems obviate the necessity of sewage treatment facilities.

FIFTH: The applicant has offered to dedicate 111 acres of off site farmland to farmland purposes. The proposed dedication parcels abut parcels within the Suffolk County Farmlands Program. Acceptance of this offer will preserve farmland consistent with the Town Master Plan and the Suffolk County Farmland Program and no cost to the local or county taxpayers. The applicant has offered to either maintain the present assessed valuation on the offered farmland parcels or to transfer such assessed value to the subject site. This approach has been recommended for consideration by the Conservation Advisory Council.

SIXTH: The proposed site plan prepared by Land Design Associates preserves the Sound Avenue Corridor as recommended by Raymond Parish Pine and Weiner (2/1/84) and an act of the State Legislature in that there is no alteration of the existing natural state of the site for 650± feet north of Sound Avenue except for an entry road and gate house. Further, the application is consistent with the Sound Avenue Corridor study in that it provides for clustered units, has a density of two

RESOLUTIONS Continued

to the acre with public water, preserves (off site) farmland and provides for buffering and landscaping.

SEVENTH: The proposed residential use will maximize real property tax revenues to the Town and the Riverhead School District while minimizing the impacts on services in that all interior roads are private, the number of school children anticipated is minimal, the demands for residents for recreational services are satisfied on site and on site security is provided.

EIGHTH: The vehicular traffic anticipated by the proposed use can be accommodated by Sound Avenue.

NINTH: The proposed use of the site is superior to permitted or potential residential uses of the site in terms of real property tax revenues vs. tax burdens and traffic. Each alternative or permitted use would generate more school children, more vehicular trips per day, more demands for highway maintenance and police services and less real property tax revenues.

TENTH: The proposed use is consistent with the recommendations for development along coastal areas (A Plan for the Coastal Areas 1983) by maintaining a setback from the Sound shore bluff line, devoting the property to a recreational use, maintaining the Sound Avenue Corridor, clustering the units and preserving open spaces, establishing planted or natural buffers, preserving on site open space and creating new wetlands areas and ponds.

ELEVENTH: The adverse environmental impacts caused by the proposed use are mitigated or outweighed by:

- (a) preservation of farmland;
- (b) cluster development;
- (c) preservation of the Sound Avenue Corridor;
- (d) creation of new on-site ponds;
- (e) buffering by set back and plantings;
- (f) extension of the Water District at no cost into areas of need;
- (g) sewerage in compliance with Article 6 of the Sanitary Code;
- (h) expansion of the real property tax base.

TWELFTH: There is a need for the proposed type of recreational residential housing as an element of the overall Master Plan of Riverhead. This need is addressed by and the Master Plan is implemented in Article IIV of Chapter 108. There are a limited number of waterfront parcels where this use may be applied. The need can only be met by rezoning when appropriate and prior to development of the parcels to other uses.

THIRTEENTH: The site plan by Land Design Associates satisfies the criteria of the Special Permit provisions of Chapter 108 subdivision (E)(4) in that the access from Sound Avenue is acceptable as limited and screened, adequate on site parking and drainage are shown, emergency access is provided, fire hydrants will be provided, the general layout is appropriate for the site and the required set backs and buffers are provided.

FOURTEENTH: Section 1325 of the County Charter (Section A14-16 of the Administrative Code) requires explicit reasons to be stated with referency to the Planning Commissions' letter dated December 4, 1986. The Town Planning Board and Planning Commission recommend against a change of zone to Residence "C". This Board by this resolution follows that recommendation and declines to change the zoning to Residence "C". The Planning

RESOLUTIONS Continued

Board recommends the Recreational Use designation at a density of 222 units on 111 acres. The Planning Commission recommends that the subject premises can be reasonably developed as a cluster with the transfer of density from other parcels, pursuant to the existing Town Code. The mechanism for such a transfer is found in the Recreational Use sections of Chapter 108 by Special Permit. This Board by this resolution follows the recommendations of the Planning Board and Planning Commission by imposing the Recreational Use on the subject premises.

NOW, THEREFORE, this Town Board does make the following determinations:

DETERMINATIONS

FIRST: The change of zone and use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood.

SECOND: The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained by the neighborhood and the town.

THIRD: The health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the use.

FOURTH: The change of zone and use will be in harmony with and promote the general purposes and intent of Chapter 108.

NOW, THEREFORE, BE IT,

RESOLVED, that the premises described in the attached "description" attached hereto be rezoned from the Residential "A" use classification to the Recreational Use classification as the same is set forth at length in Article XXV of Chapter 108 of the Code of the Town of Riverhead, and be it

FURTHER RESOLVED, that the imposition of this zoning use classification is at the exclusion of all other existing zone use classifications as provided in Article XXV, and be it

FURTHER RESOLVED, that a special permit application of Robert Entenmann to construct and use 222 units of recreational residential condominiums together with amenities as generally shown on the site plan and front elevations of Land Design Associates submitted at the public hearing on November 18, 1986 is granted subject to the following conditions:

1. The Riverhead Water District shall be extended under the terms and conditions set forth in the resolution adopted contemporaneously herewith known as Extension No. 36 and all off site improvements shall be installed as provided in said Water District resolution.

2. The applicant shall submit detailed architectural elevations of all buildings and other structures, street lighting, storm water runoff and containment, which shall be subject of a future site plan resolution by the Town Board. In order to assist the Town Board in reviewing such site plan, the applicant shall also file a topographical map as such scale as the Town Board may require.

RESOLUTIONS Continued

3. The applicant shall dedicate every and all right and title to the development of the parcels as described in the attached Exhibit A. It being the intent of this Town Board that the land described in the attached Exhibit A shall be used for agriculture only and be sterilized from the potential development of residential, commercial or industrial use and

the erection of any structure whatsoever. Notwithstanding the foregoing, trellis, fencing, paddocks and customary accessory agricultural structures may be erected upon the obtaining of building permits as necessary from the Riverhead Building Department. The substance of the document to effectuate the foregoing shall be the subject of the continuing jurisdiction of the Town Board by resolution after review by the Town Attorney. Subject to the above, fee title shall remain with the applicant or his successors.

4. The special permitted use is limited to 222 condominium units, 12 tennis courts, two club houses and a restaurant all as presented by the applicant and depicted on his site plan.

5. The applicant shall cause such covenants as may be required to carry out the intent of this resolution and to comply with the further applicable provisions of the Riverhead Town Code to be executed and recorded.

6. The applicant shall execute a payment in-lieu of taxes agreement in recordable form or like document wherein he agrees to maintain the current assessed valuation on the off-site farmlands by attaching the developmental values for said off-site farmlands onto the Sound Avenue parcel. Said agreement shall run with the land on the Sound Avenue parcel and shall bind subsequent owners thereof including the condominium to make the payments provided therein.

7. No access to the beach shall be provided until such time as a permit shall be issued by the New York State Department of Environmental Conservation and the Riverhead Conservation Advisory Council and a site plan by the Riverhead Town Board showing such access shall be approved.

8. The applicant shall file a covenant with the Town Board in recordable form dedicating to the Town of Riverhead an easement over the open space on the attached Exhibit B in a form acceptable to the Town Attorney and approved by the Town Board.

RESOLUTIONS Continued

9. The approval by the Health Department of the County of Suffolk and subject to the preparation by the applicant of a condominium map in a form in accord with the regulations of the Suffolk County Planning Commission and Riverhead Town Planning Board and the approval upon recommendation of the Suffolk County Planning Commission by the Riverhead Planning Board.

and be it further

RESOLVED, that no units shall be sold, except upon a prospectus for a condominium offering as shall be previously authorized for distribution by the Attorney General of the State of New York, and be it further

RESOLVED, that the applicant stipulates by acceptance of this resolution and construction hereunder of 222 residential condominium units with amenities as shown that the density of 222 units shall constitute the maximum allowable density for the 111± acres, and be it further

RESOLVED, that the Town Clerk shall cause the publication of the resolution amending such zoning map and she is thereafter directed to engage the services of Young & Young Land Surveyors to update the zoning use district map reflecting this zoning change, and be it further

RESOLVED, that a copy of this resolution, together with a copy of the new zoning use district map incorporating the amendment heretofore adopted shall be posted on the sign board maintained by the Town Clerk and affidavits of posting thereof shall be filed with the Town Clerk's Office, and be it further

RESOLVED, that the Town Clerk shall forward a certified copy of this resolution to Allen M. Smith, Esq., attorney for the applicants, the Riverhead Building Department, and the Riverhead Water District.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Councilman Pike, "Before I vote, I just want to say that of all of the proposals that I've seen both as a private attorney and as a councilman, I've developed something of a reputation for condo-buster out on the east end. Well that was the nice way to say it. And I have looked at over 100 condominium projects in my career as a public interest attorney and I have to say that of them all, this is the best. So without any hesitation, I vote yes."

Councilman Prusinowski, "This does everything that everybody wants us to do which is to preserve open space, get tax yield, low cost of services to the school district. It's apple pie and I'm sure a lot of people are against it but I'm voting for it."

RESOLUTIONS Continued

#706 ORDER EXTENDING THE RIVERHEAD WATER DISTRICT RE: EXTENSION NO. 36.

(See Water District Minutes)

#707 APPROVES SITE PLAN OF STEPHEN ABBOTT, JOHN ABBOTT AND JOHN KOSINSKI.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, a site plan and elevations were submitted by Stephen Abbott, John Abbott and John Kosinski for alteration and change of use from residential to office to be located at 322 Roanoke Avenue, Riverhead, New York; and

WHEREAS, this Town Board has reviewed the site plan dated October 29, 1986, as prepared by Donald A. Denis, A.I.A., P.C., and elevations dated October 29, 1986, as prepared by Donald A. Denis, A.I.A. P.C.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Stephen Abbott, John Abbott and John Kosinski for alteration and change of use from residential to office to be located at 322 Roanoke Avenue, Riverhead, New York, site plan dated October 29, 1986, as prepared by Donald A. Denis, A.I.A., P.C., and elevations dated October 29, 1986, as prepared by Donald A. Denis, A.I.A., P.C., be and are hereby approved, subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution, in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

4. That the applicant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

5. That receptacles of a decorative design shall be maintained at the premises;

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Stephen Abbott, John Abbott, and John Kosinski hereby authorizes the Town of Riverhead to enter premises at 322 Roanoke Avenue, Riverhead, New York, to enforce said handicapped parking regulations;

RESOLUTIONS Continued

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code with regard to type, thickness and grade;

8. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

9. Drainage and parking shall be provided pursuant to the Riverhead Town Code; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Stephen Abbott, John Abbott and John Kosinski and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of December, 1986, by Stephen Abbott, John Abbott and John Kosinski, all residing at C/o 322 Roanoke Avenue, Riverhead, New York, Declarant.

(See Pages 1230-1230A for Declaration and Covenant in its entirety)

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#708 AUTHORIZES TOWN CLERK TO ADVERTISE FOR BIDS FOR ONE (1) 1987 NEW CASE INTERNATIONAL TRACTOR AND ATTACHMENTS.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that the Town Clerk of the Town of Riverhead be and is hereby authorized to advertise for sealed bids on one (1) 1987 New Case International Tractor and Attachments for use of the Town of Riverhead Highway Department.

AND BE IT RESOLVED, that specifications and forms for bidding be prepared by the Superintendent of Highways, and bids be returnable up to 11:00 a.m. on January 2, 1987 and be it further

RESOLVED, that the Town Clerk be and is hereby designated to open publicly and read aloud on January 2, 1987 at 11:00 a.m. at the Town Clerk's Office, Town Hall, 200 Howell Avenue, Riverhead, New York all sealed bids bearing the designation "BID ON ONE (1) NEW 1986 CASE INTERNATIONAL TRACTOR AND ATTACHMENTS".

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, Yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued

#709 TRANSFER OF FUNDS - BOARD OF ASSESSORS.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Supervisor be and hereby is authorized to transfer the following General Town Accounts:

	<u>FROM</u>	<u>TO</u>
A1355.410 Board of Assessors Education	\$600.00	
A1355.200 Board of Assessors Equipment		\$600.00

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#710 ACCEPTS RESIGNATION OF DRIVER/DELIVERER OF "MEALS ON WHEELS" PROGRAM AND AUTHORIZES TOWN CLERK TO PUBLISH AND POST HELP WANTED AD.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, due to medical reasons, MaryAnn Whidden did submit her letter of resignation from her position of Driver Deliverer with the "Meals on Wheels" Program.

NOW, THEREFORE, BE IT

RESOLVED, that the resignation of MaryAnn Whidden be and is hereby accepted effective December 8, 1986, and

BE IT FURTHER RESOLVED, that due to said resignation, the Town Clerk be and is hereby authorized to publish and post the below Help Wanted Ad in the December 18, 1986 issue of The News Review.

HELP WANTED AD

PLEASE TAKE NOTICE, that the Town of Riverhead is seeking qualified individuals to serve in the part-time position of Driver Deliverer with the Town of Riverhead "Meals on Wheels" Program. Applicants must possess a valid New York State Driver's License and must be at least 18 years of age. Interested individuals must submit an application to the Accounting Department, 200 Howell Avenue, Riverhead, New York between the hours of 8:30 a.m. and 4:30 p.m. weekdays. No applications for this position shall be accepted after December 29, 1986. The Town of Riverhead does not discriminate on the basis of race, color, national origin, sex, age and handicapped status in employment or the provision of services.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#711 RESOLUTION GRANTING EASEMENT FOR UTILITIES RE: SEWER DISTRICT.

(See Sewer District Minutes)

#712 RESOLUTION EXTENDING THE RIVERHEAD PARKING DISTRICT.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, KENNETH ZAHLER has made a petition dated November 17, 1986, to the Town Board of the Town of Riverhead for an extension of the Riverhead Public Parking District No. 1, which said extension of the Riverhead Public Parking District No. 1 will be of no cost to the District, and will not require any additional improvements to the Parking District, and

WHEREAS, the Town Clerk of the Town of Riverhead has duly published and posted a notice of public hearing on this petition, and

WHEREAS, said public hearing was duly held upon notice on December 2, 1986 at 8:35 p.m., and

WHEREAS, the Town Board of the Town of Riverhead has determined as follows:

1. That the Notice of Public Hearing was duly published and posted as required by law and is otherwise sufficient;

2. All the property owners within the proposed district extension will be benefitted by such extension;

3. All the property owners benefitted by said extension are included within the limits of said extension;

4. The extension of the Riverhead Public Parking District No. 1 is in the public interest; and

5. The extension of the Riverhead Public Parking District No. 1 shall be at no cost to the District;

NOW, THEREFORE, BE IT

RESOLVED, that the petition of Kenneth Zahler for the extension of the Riverhead Public Parking District No. 1 is granted to include within the boundaries of said district the property described in Schedule A;

AND BE IT FURTHER

RESOLVED, that the Town Clerk of the Town of Riverhead shall cause a certified copy of this resolution to be duly recorded in the Office of the Clerk of the County of Suffolk within ten days and further that the Town Clerk of the Town of Riverhead shall file a certified copy of this resolution in the Office of the State Comptroller at Albany, New York,

AND BE IT FURTHER

RESOLVED, that the firm of Young & Young, surveyors is authorized to redraw the map of the Riverhead Public Parking District No. 1 to include this extension and the cost of said map shall be billed to the petitioner.

RESOLUTIONS Continued

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#713 AUTHORIZES SUPERVISOR TO EXECUTE DEED TO TRANSFER
PROPERTY TO RAYMOND AND KATHLEEN SOTO.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, the Town of Riverhead owns a certain parcel of property designated as Suffolk County Tax Map #0600-26-1-27, which was acquired by the Town for drainage purposes; and

WHEREAS, drainage facilities have been installed at the subject premises by the Highway Department to accept storm water run-off from adjacent highways and properties; and

WHEREAS, Raymond and Kathleen Soto, neighbors to the south, have expressed their intent to purchase this property at the appraised value of \$1,500.00, subject to the following two (2) conditions:

1. This parcel, Suffolk County Tax Map #0600-26-1-27, shall be merged with and become a part of parcel known as Suffolk County Tax Map #0600-26-1-28 and shall never be subdivided therefrom in whole or in part;

2. The Town of Riverhead shall retain a permanent easement for access to all of the parcel hereto conveyed for installation and maintenance of drainage structures and facilities.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and is hereby authorized to execute a deed transferring property owned by the Town of Riverhead known as Suffolk County Tax Map ID #0600-26-1-27 to Raymond and Kathleen Soto at a price of \$1,500.00 subject to the above-referenced two (2) conditions; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Raymond and Kathleen Soto and the Riverhead Highway Department.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#714 AUTHORIZES THE SOLICITATION FOR BIDS FOR ONE TON DUMP
TRUCK - SEWER DISTRICT.

(See Sewer District Minutes)

#715 TRANSFERS REAL PROPERTY TO JAMESPORT FIRE DISTRICT.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, the Town of Riverhead is the owner of real property located on the East side of Manor Lane, Jamesport, New York, a portion of which is used by the Town for an ambulance barn; and

RESOLUTIONS Continued

WHEREAS, a small portion of this property, which abuts property owned by the Jamesport Fire District, is configured in such a way as not to be useful for Town purposes; and

WHEREAS, the Town Board wishes to transfer this portion of the property to the Jamesport Fire District for consideration of \$1.00.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Riverhead determines that the portion of the Town ambulance barn property as described in the Exhibit A (see file) is surplus; and be it further

RESOLVED, that the Town authorizes conveyance to the Jamesport Fire District for consideration of \$1.00; and be it further

RESOLVED, that the Supervisor be and is hereby authorized to execute and deliver the contract of sale and deed to the Jamesport Fire District; and be it further

RESOLVED, that this resolution be and is hereby subject to permissive referendum pursuant to law and that the Town Clerk shall publish this resolution in the Riverhead News Review and post said resolution; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the Jamesport Fire Commissioners and to Peter S. Danowski, Jr., Esq., attorney for the Jamesport Fire District.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#716 DESIGNATES LANDMARKS.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

WHEREAS, the Landmarks; Preservation Commission, under letter dated November 10, 1986, has requested this Town Board to designate various structures in the Town of Riverhead as landmarks.

NOW, THEREFORE, BE IT

RESOLVED, in accordance with Article IV, Section 7(6) of Town Ordinance #44 (Landmarks Preservation) Chapter 73, this Town Board does hereby designate the following structures as "Landmarks":

1. Tax Map 600-9-1-1
Mr. & Mrs. Robert Nelson (formerly Irving Downs)
Manor Lane
Jamesport, NY
2. Tax Map 600-21-1-3
George Tuthill
123 Sound Avenue
Riverhead, NY

RESOLUTIONS Continued

3. Tax Map 600-20-3-9.1
Palmer Vineyards (formerly Ruben Wells)
108 Sound Avenue
Riverhead, NY
4. Tax Map 600-21-1-7.1
Mr. & Mrs. N. Fenton
Sound Avenue
Riverhead, NY

BE IT FURTHER RESOLVED, that pursuant to Section 73-7(F) of the Riverhead Town Code, the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to the owners of the above listed parcels, the Building Department and the Assessors' Office, and

BE IT FURTHER RESOLVED, that the Landmarks' Preservation Commission be and is hereby authorized to purchase four (4) "landmarks" plaques at a total cost not to exceed \$200.00.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#717 APPOINTS TEEN CENTER AIDES.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, vacancies presently exist in the part-time position of Teen Center Aide, and

WHEREAS, said vacancies were duly advertised, and

WHEREAS, all applicants were thereafter duly interviewed.

NOW, THEREFORE, BE IT

RESOLVED, that Diane Wohlmuth and Anita Marie Young be and are hereby appointed to the position of Teen Center Aide at the hourly rate of compensation of \$4.50, and

BE IT FURTHER RESOLVED, that Todd DeVoe be and is hereby appointed to the part-time position of Teen Center Aide at the hourly rate of compensation of \$3.35, and

BE IT FURTHER RESOLVED, that said appointments are effective immediately.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#718 GRANTS SITE PLAN FOR THE BLUFFS/PHASE II.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, the special permit dated November 3, 1982, and change of zone of even date, Riverhead Flagg Corp. was granted approval to erect 300 condominium units; and

1274

RESOLUTIONS Continued

WHEREAS, a site plan covering Phase I of the construction for 126 condominium units has been authorized and the construction completed; and

WHEREAS, Baiting Hollow Development Corp., as successors in interest to the Riverhead Flagg Corp., has applied for the balance of the units to be known as "Phase II" preliminary site plan approval covering building footprints, which application was referred by the Building Department to the Town Board by letter dated July 1, 1986; and

WHEREAS, the site plan was referred to the Conservation Advisory Council and John Johnsen of Louis K. McLean Associates, P.C., the planning engineers to the Planning Board, who have made their recommendations; and

WHEREAS, an on-site inspection was held by the Town Board the Conservation Advisory Council and representatives of Louis K. McLean Associates, P.C., on September 10, 1986, who made recommendations to Coco & Baldassano, the architects retained by the applicant; and

WHEREAS, the recommendations have been incorporated in a revised site plan as revised by Coco & Baldassano, which has been reviewed by John Johnsen of Louis K. McLean Associates, P.C., for compliance with the recommendations of the Conservation Advisory Council that bluff erosion be maximized, set backs be increased and overall site disturbances be limited; and

WHEREAS, the applicant has proposed that the amended site plan Phase II be determined to address environmental impacts of the building configurations and building heights as proposed on addendum to the previously completed Environmental Impact Statement, which was circulated as a draft addendum and has been accepted by the Town Board as a final addendum to the Environmental Impact Statement; and

WHEREAS, the applicant has made application to the Zoning Board of Appeals for permission to construct buildings with a height not to exceed forty (40') feet of habital area which, after hearing by the Zoning Board of Appeals and deliberation, has been granted as more particularly set forth in the attached resolution under Appeal #86-189 and incorporated herein as though fully set forth; and

1. That in order to maximize the setback of the northerly units as shown on Drawing #1 of Coco & Baldassano, which is annexed hereto, it is necessary to permit 106 of the units to be constructed at a height of forty (40') feet;

2. That the visual impact of the four-story construction must be minimized by the preservation of the existing trees and the natural contours of the land where the structures will be placed;

3. That the New York State Fire Prevention & Building Code by prohibiting the construction of frame buildings in excess of two stories increases the economic feasibility of four story masonry construction;

4. That the applicable provisions for the handicapped access by the installation of elevators to accomodate the handicapped be installed.

RESOLUTIONS Continued

NOW, THEREFORE, BE IT

RESOLVED, that the approval of the site plan attached hereto is to be an application with no significant impact in accordance with the State Environmental Impact Statement, upon the addendum to the Final Environmental Impact Statement, which has been previously accepted by the Town Board in that the visual impact of the forty-foot (40') units will be minimized by the preservation of existing vegetation and the placement of the units as configured with the site plan approved herewith; and be it further

RESOLVED, that based upon the foregoing, the site plan of Coco & Baldassano as endorsed by the applicant, be and are hereby approved in the Phase II development granted November 3, 1982, to the Riverhead Flagg Corp. subject to the following covenants and restrictions:

1. The applicant shall submit detailed architectural elevations of all buildings and other structures, street lighting, storm water runoff and containment and landscaping, which shall be the subject of a future site plan resolution by the Town Board. In order to assist the Town Board in reviewing such site plan, the applicant shall also file a topographical map at such scale as the Town Board may require;

2. The applicant shall cause such covenants, including open space, as may be required to carry out the intent of this resolution and to comply with the conditions imposed by this Town Board, with other town or governmental agencies, in such form as may be determined from time to time by the Town Board;

3. Provisions for the hook-up of public water from the Riverhead Water District at no expense to the District upon application to the Town Board as governing body of the Riverhead Water District and the payment of applicable fees;

4. Suffolk County Health Department approval for sewage;

5. The preparation by the applicant of a condominium map in a form in accord with the regulations of the Suffolk County Planning Commission and Riverhead Town Planning Board and the approval upon recommendation of the Suffolk County Planning Commission by the Riverhead Planning Board;

6. That no units shall be sold except upon a prospectus for a condominium offering as shall be previously authorized for distribution by the Attorney General of the State of New York; and be it further

RESOLVED, that the applicant shall submit to the Riverhead Planning Board detailed architectural elevations and the granting of a building permit; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Weber & Pohl, P.C., the Building Department, Conservation Advisory Council and John Johnsen of Louis K. McLean Associates, P.C.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

RESOLUTIONS Continued#719 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: AMENDMENT TO RIVERHEAD TOWN CODE.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

RESOLVED, that the Town Clerk be and is hereby authorized to publish and post the below Public Notice with regard to amending Section 103-11(C) of the Riverhead Town Code.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of January, 1987, at 7:45 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to amending Section 103-11(C) of the Riverhead Town Code as follows:

C. Garbage haulers: ~~one-dollar-and-twenty-five-cents~~
(~~\$1.25~~) two dollars (\$2.00) per cubic yard truck capacity.

*broken line indicates deletion

*underscore indicates addition

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#720 APPROVES TEMPORARY INTERN FOR ASSESSORS' OFFICE.

Councilman Pike offered the following resolution which was seconded by Councilman Boschetti.

RESOLVED, that Donna Trotta be and is hereby appointed as an intern to the Assessors' Office for a 30-day period commencing December 22, 1986 at the hourly rate of compensation of \$5.50; and

BE IT FURTHER RESOLVED, that the Town Clerk be and is hereby authorized to forward a copy of this resolution to Donna Trotta and Leroy Barnes, Jr., Chairman of the Board of Assessors.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#721 REDUCES WORK SCHEDULE OF NANCY KRUKOSKI.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

WHEREAS, a clerical position in the Recreation Department will be put on a reduced work schedule.

NOW, THEREFORE, BE IT

RESOLVED, that Nancy Krukoski be appointed to the part-time position of Account Clerk at the rate of compensation of \$8.075 effective December 8, 1986.

RESOLUTIONS Continued

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#722 APPROVES SPECIAL PERMIT OF DEIRDRE FEDUN.

Councilman Lombardi offered the following resolution which was seconded by Councilman Prusinowski.

WHEREAS, by application dated October 3, 1986, Deirdre Fedun did apply to this Town Board for a special permit to construct an office building for professional offices at premises located on the corner of N.Y.S. Route 25 and Linda Avenue, Aquebogue, New York; and

WHEREAS, this matter was referred to the Planning Board for their review and recommendation; and

WHEREAS, by letter dated November 12, 1986, the Planning Board recommended that the special permit be approved; and

WHEREAS, on the 2nd day of December, 1986, this Town Board held a public hearing wherein all persons wishing to be heard were heard; and

WHEREAS, the Environmental Quality Review Board has determined that the action is a Type II action without significant impact upon the environment; and

WHEREAS, based upon the Town Board's review on the Environmental Assessment Form and the proceedings had herein, the Town Board determines that the special permit applied for will be a Type II action without a significant impact upon the environment pursuant to the State Conservation Environmental Law.

NOW, THEREFORE, BE IT

RESOLVED, the Town Board determines that:

a. The use will not prevent or substantially impair either the reasonable and orderly use or the reasonable and orderly development of other properties in the neighborhood;

b. The hazards or disadvantages to the neighborhood from the location of such use at the property are outweighed by the advantage to be gained either by the neighborhood or the Town;

c. The health, safety, welfare, comfort, convenience and order of the town will not be adversely affected by the authorized use;

d. Such use will be in harmony with and promote the general purposes and intent; and be it further

RESOLVED, that the special permit submitted by Deirdre Fedun to construct an office building for professional offices located at the corner of N.Y.S. Route 25 and Linda Avenue, Aquebogue, New York, be granted; and be it further

RESOLVED, that the premises covered by this special permit shall be maintained in conformity with such plan which may from time to time be approved by the Riverhead Town Board; and be it further

RESOLVED, that the Town Clerk is authorized to forward a certified copy of this resolution to Deirdre Fedun and the Riverhead Building Department.

RESOLUTIONS Continued

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#723 APPROVES SITE PLAN OF DEIDRE FEDUN.

Councilman Boschetti offered the following resolution which was seconded by Councilman Pike.

WHEREAS, a site plan and elevations were submitted by Deirdre Fedun to construct an office building for professional offices to be located at the corner of N.Y.S. Route 25 and Linda Avenue, Aquebogue, New York; and

WHEREAS, this Town Board has reviewed the site plan dated September 25, 1986, as prepared by Young & Young, and elevations dated December 15, 1986, as prepared by Donald A. Denis, A.I.A., P.C.

NOW, THEREFORE, BE IT

RESOLVED, that the site plan and elevations submitted by Deidre Fedun to construct an office building for professional offices to be located at the corner of N.Y.S. Route 25 and Linda Avenue, Aquebogue, New York, site plan dated September 25, 1986, as prepared by Young & Young, and elevations dated December 15, 1986, as prepared by Donald A. Denis, A.I.A., P.C., be and are hereby approved, subject to the following:

1. That the provisions of the Town Code, which are not addressed by this resolution or other official action of the Town, shall, at all times, be complied with by the owner of the property covered by this site plan;

2. That a covenant containing all the limitations and provisions of these approvals contained in this resolution in a form as attached, shall be recorded with the Suffolk County Clerk and a certified copy of such recorded covenant shall be filed with the Riverhead Town Clerk. This resolution shall not become effective until such covenant is duly recorded with the Suffolk County Clerk and filed with the Town Clerk;

3. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

4. That the applicant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

5. That receptacles of a decorative design shall be maintained at the premises;

6. That adequate parking for the handicapped pursuant to State and Federal law shall be provided that and each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto. Further, by execution and filing of this document, Deidre Fedun hereby authorizes the Town of Riverhead to enter premises at the corner of N.Y.S. Route 25 and Linda Avenue, Aquebogue, New York, to enforce said handicapped parking regulations;

RESOLUTIONS Continued

7. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code with regard to type, thickness and grade;

8. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

9. Drainage and parking shall be provided pursuant to the Riverhead Town Code;

10. All four (4) sides of the building shall be bricked with #2 common brick;

11. A building buffer along the parking lot adjacent to Linda Avenue;

12. Landscaping as shown on the Donald A. Denis drawing as well as landscaping along N.Y.S. Route 25 and Linda Avenue;

13. A new Young & Young survey shall be submitted showing the landscaping as proposed and the elimination of the indentation shown on the front of the building; and be it further

RESOLVED, that the Town Clerk be and is hereby authorized to forward a certified copy of this resolution to Deidre Fedun and the Riverhead Building Department.

DECLARATION AND COVENANT

THIS DECLARATION, made the _____ day of December, 1986, by Deidre Fedun, residing at C16 Trout Brook Lane, Aquebogue, New York, 11931, Declarant.

WHEREAS, Declarant is the owner of a certain real property situate in the Town of Riverhead, Suffolk County, New York, more particularly bounded and described as set forth in SCHEDULE "A" annexed hereto as proved by the Declarant; and

WHEREAS, for and in consideration of the granting of said site plan, the Town Board of the Town of Riverhead has deemed it to be in the best interests of the Town of Riverhead and the prospective owners of said parcel that the within covenants and restrictions be imposed on said parcel, and as a condition of granting said site plan, said Town Board has required that the within Declaration be recorded in the Suffolk County Clerk's Office; and

WHEREAS, Declarant has considered the foregoing and determined that same will be in the best interest of the Declarant and subsequent owners of said parcel.

NOW, THEREFORE, THIS DECLARANT WITNESSETH:

That Declarant, for the purpose of carrying out the intentions above expressed, does hereby make known, admit, publish, covenant and agree that the said premises herein described shall hereafter be subject to the following covenants which shall run with the land and shall be binding upon all purchasers and holders of said premises, their heirs, executors, legal representatives, distributees, successors and assigns to wit:

1. That the provisions of the Riverhead Town Code, which are not addressed by this resolution or other official action of the Town, shall at all times, be complied with by the owner of the property covered by this site plan;

2. That the form, design, location and color of all signage shall be submitted to the Town Board for its review and approval or disapproval prior to being installed at the property. All signage so proposed shall be coordinated in appearance and design;

RESOLUTIONS. Continued

3. That the Declarant is familiar with Riverhead Town Code, Chapter 96, entitled, "Trash, Rubbish and Refuse Disposal", and agrees to abide by same;

4. Trash receptacles of a decorative design shall be maintained at the premises;

5. That adequate parking for the handicapped pursuant to State and Federal law shall be provided and that each handicap stall shall be designated by an individual sign erected on a stanchion stating, "No Parking, Handicap Only", and the universal symbol affixed thereto;

6. That the parking area shall be maintained pursuant to specifications outlined in the Riverhead Town Code, with regard to type, thickness and grade;

7. No lighting shall be installed or adjusted in such a way as to cause direct glare on neighboring properties or adjoining highways;

8. Drainage and parking shall be provided pursuant to the Riverhead Town Code.

Declarant has hereunto set his hand and seal the day and year above first written.

BY:

DEIDRE FEDUN

STATE OF NEW YORK)

ss.:

COUNTY OF SUFFOLK)

On this _____ day of December, 1986, before me personally came DEIDRE FEDUN, the owner of certain real property located at corner of N.Y.S. Route 25 and Linda Avenue, Aquebogue, New York, the subject property of the declaration and covenant and understands the contents thereof; and that she did swear to me that she executed the same.

NOTARY PUBLIC

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

#724 AUTHORIZES TOWN CLERK TO PUBLISH AND POST NOTICE OF PUBLIC HEARING RE: SPECIAL PERMIT APPLICATION OF GEORGE CHEKIJIAN.

Councilman Prusinowski offered the following resolution which was seconded by Councilman Lombardi.

RESOLVED, that the Town Clerk be and hereby is authorized to publish and post the below Public Notice regarding the re-scheduling of the Public Hearing to be held on January 6, 1987 at 7:55 p.m. at Riverhead Town Hall on the Special Permit Application of George Chekijian to operate a facility for the processing, canning, bottling and warehouse until shipment of cleaning products.

PUBLIC NOTICE

PLEASE TAKE NOTICE, that a public hearing will be held on the 6th day of January, 1987, at 7:55 o'clock p.m. at the Riverhead Town Hall, 200 Howell Avenue, Riverhead, New York, to hear all interested persons with regard to the special permit application of George Chekijian to operate a facility for the processing, canning, bottling and warehousing until shipment of cleaning products.

The vote, Boschetti, yes, Pike, yes, Prusinowski, yes, Lombardi, yes, Janoski, yes.

The resolution was thereupon duly declared adopted.

Supervisor Janoski, "Now Mr. Steve Haizlip has made a request (I think) to pick upon the State of New York. If that's the case, I recognize Steve for a final word here."

Steve Haizlip, "Mr. Janoski and other Town Board members, Route 25 at the Calverton Deli I think everybody knows where that is. It's up by the new Post Office. Now on the south side of Route 25, first let me go back and say why I am making a pitch to the town. I have read so many times in the newspaper where you have said the County or the State or other agencies did not contact or converse with you. As a resident of the town, I am going through channels. You are my town representatives and members. So now Route 25 is a state road. Now the south side of it...."

Councilman Prusinowski, "Well the highway committee is listening tonight because I know what it's about."

Steve Haizlip, "Alright. The south side; that shoulder is a mess. A lot of trucks; sand trucks, cement trucks and transferring trucks pull in there and it is like a tank trap. So now since that store does such amount of business and every transaction is a sales tax, now the state should provide adequate service so the customers can pull over there because they certainly can't pull their big rigs up in front of the store."

Councilman Prusinowski, "You know it's ironic Steve because during the re-election campaign of our local assemblyman, I happen to run into someone from the Calverton area who brought that to my attention and at that time, I relayed it to my assemblyman who subsequently got re-elected. I haven't heard back from him yet but I'll check on it."

Supervisor Janoski, "No one has heard from him. In fact nobody has seen him in a couple of months but that's ok. I'm sorry."

Steve Haizlip, "I only ask permission for that particular statement. Now can I be granted permission to elaborate and amend my first statement this evening?"

PERSONAL APPEARANCES Continued

Supervisor Janoski, "Certainly."

Steve Haizlip, "Can I add one more onto that? Ok. Now I want to go back and bring this MTA thing in a little bit more. Now I think it is a shame that we have to be, as working people and we're just barely making out as it is, and be reaching in our pockets and taking money for that MTA thing. Let them worry about their own. And Mr. Cohalan and part of the legislatures had just extended the tax to 68% or to 70%. Raised it in other words. None of them guys in there is in no big hurry and your Governor Cuomo is in no big hurry to come out and help to subsidize us on it. They only want to worry about subsidizing the MTA. So those people are not worrying about us, I don't think we should be worrying about them. Now, the Long Island delegation is not an accessory to the fact because I have read up on it and I've checked on it and none of our assemblymen and senators are condoning this except one man and that's Mr. Thomas Barrera. He wants that 10 cents a gallon for the road. I don't agree with it. There's been so dang on many state bonds floated in this state for road repairs and MTA repairs and all they get is a couple of little seeded trees and so forth and the money is gone. The next thing is that we are getting theft from is Mr. Catasina and Mr. Glen Nungesser. However you pronounce his name. Twenty grand a month that they're paying out of our money that we're paying our electric rates. And every time they go in for an increase of 68 million or 70 million, whatever it is, it's his twenty thousand dollar fee. So I sent this information to Washington to my first representative. I never heard nothing. But luckily I read in the paper here a while back of all people that I least expected would pick up on it because of his high spiritedness is Monihan. So now he's asked for an investigation on our part. I'm requesting that maybe Mr. Cuomo is so concerned maybe he will pick up and want to know what is Long Island Lighting paying this guy twenty thousand dollars a month as a consultant trying to get this thing on the line. That's all it boils down to. Plain and simple. Now, last thing. I know it's been a long evening but I want to get it in. The last thing that I elaborated about a while ago is that \$2.50 surcharge because my wife and a couple of other people and the kids and an employee of this town went to a show there and come back and they were penalized \$2.50 because I thought as I said, that is outrageous and they're picking up extra money. Now I don't believe the PSC is allowing this. And if they are, then I think somebody should look into it. I'm going to personally write a letter about it to Mr. Kessler, Richard Kessler. I wish somebody on here would inquire about it because it is affecting the town. Thank you gentlemen."

Supervisor Janoski, "Thank you Steve. I think I agree with most of what you had to say and a Merry Christmas to all and all a good night."

There being no further business on motion or vote the meeting adjourned at 10:08 p.m.

IJP:nm


Irene J. Pendzick
Town Clerk